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# HISTORICAL MEMORIALS

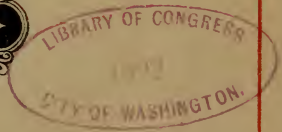
OF

## NORTHAMPTON :

TAKEN CHIEFLY FROM UNPRINTED RECORDS.

BY THE

REV. C. H. HARTSHORNE, M.A.



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TO  
FREDERIC EARL SPENCER,  
THE UNDEVIATING FRIEND  
TO THE INTERESTS OF NORTHAMPTON, AND  
THE LIBERAL PROTECTOR  
OF ITS INSTITUTIONS :

THIS VOLUME, ILLUSTRATIVE OF ITS EARLY HISTORY AND PRIVILEGES,

IS GRATEFULLY INSCRIBED

BY HIS OBLIGED AND FAITHFUL SERVANT,

THE AUTHOR.



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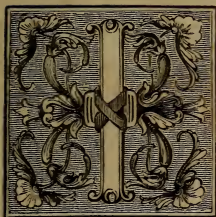
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## THE CHARTERS.



IN the Conqueror's survey, Northampton is described as having contained at the time of King Edward the Confessor sixty burgesses, with as many dwellings in the royal demesne; but when the account was completed in 1086, fourteen of the latter were set down as lying waste, and the remainder, with forty burgesses, were in the possession of the crown. There were in the town altogether two hundred and twenty-five houses, valued at £10. 11s. 1d. a

year, being a fraction less than a shilling each. The Record states that the burgesses of Hantone (Northampton) rendered annually to the sheriff £30. 10s. This belonged to the farm; and the Countess Judith, William's kinswoman, had seven pounds out of the issues of the said borough.

In examining this extract it appears that there were at the earliest known period, sixty burgesses within the royal demesne, having as many houses, and since the houses and their occupants are both mentioned in immediate connexion with each other, it may be justly inferred that the burgesses themselves were anciently householders. No persons having the former appellation are named in conjunction with the other dwellings, and therefore those dwellings we may suppose to have been tenanted by strangers, religious persons, females, agricultural labourers, bondmen, or by those who from poverty were unable to pay their share of the common expenses, and who consequently were not entitled to rank as burgesses. "Nothing has occurred," says one of the best investigators of the subject, "down to the present time, to alter the class or description of persons who at the close of the Saxon dynasty were called burgesses," and it is to these early times therefore that we must direct



our researches for a true description of the duties and privileges of a body of men, who from the commencement of the Saxon government, if not before, were called *freemen*. At this remote time there is no mention whatever of any grant of incorporation, or of any creation of a select portion of the inhabitants who were to be governors of the rest; they were in fact always described by one general title, of inhabitants of the borough, burg-folk or burgesses<sup>a</sup>. In the Saxon laws and the Saxon Chronicle we read of the aldermen, who were royal officers in each borough, but their duties were entirely distinct from theirs who at present bear the name. The alderman seems rather to have been in the position of a senator, or judge, a legal functionary who presided over the gemote, rather than one who was called upon to exercise any corporate functions. Henry I. in fact, in his confirmation of the laws of the Confessor, 1100, laid it down that one of the better men should preside over the whole hundred, and be called alderman, whose duty it was diligently to endeavour to promote the laws of God and the rights of man. The burgesses, on the other hand, were the residents in the town; they bore their share of the local bur-

<sup>a</sup> Merewether and Stephens' Hist. of Boroughs, vol. i. p. 220.

dens, and paid scot and lot, and all such persons as did not contribute to these charges were excluded.

It appears then that the town of Northampton belonged at this time (1086) to the crown, and that the burgesses or resident inhabitants held it as a borough, by what is commonly called burgage tenure, that is, by sockage, a conventional service, not of a military, but of a general and uniform nature, distinguished from knight service, which was occasional, and being in fact the same tenure as freehold or gavel kind, but in the present instance held by a small acknowledgment, paid in the shape of rent to the king as superior lord. Such as held immediately under him in right of his crown and dignity were tenants in chief (*capite*), which was the more honourable tenure of all, but at the same time, it subjected them to greater inconveniences and to more burdensome services than devolved upon the inferior tenants.

From being in the royal demesne, which may serve to account for the origin of the privilege in the first instance, and from holding their town by burgage tenure, the burgesses of Hantone or Northampton paid £30. 10s. yearly to the sheriff, as the rent of the town, by way of acknowledging their own relation to the sovereign, and it was one

of the sources from whence the national expenditure was defrayed. Formerly many estates belonging to the crown were let out or held as it is termed by *fee farm*, as well as particular burgage-tenements lying in the town. It must, however, be observed that, taken by itself, this did not constitute the peculiar characteristic of a borough, nor was it any proof of a *corporation*, since there were several places even in this country, such as Ape-  
thorpe<sup>b</sup>, King's Cliffe<sup>c</sup>, Brigstock<sup>d</sup>, Thorpe<sup>e</sup>, Silveston<sup>f</sup>, and Geddington<sup>g</sup>, paying similar rents into the hands of the sheriff, which shewed none of these features. There were it is true in the county three other boroughs<sup>h</sup>, but one of them, Peterborough, was not incorporated until 1st Hen. III. (1215), nor Brackley and Higham Ferrars, until the middle of the sixteenth century.

At the time we are now considering, it was the

<sup>b</sup> Homines de Abethorpe, reddunt compotum xxxvii. £ de firma villæ suæ, et de xxxvii. £ de eadem de anno præterito; in thesauro liberaverunt, et quieti sunt.

<sup>c</sup> Homines de Clive reddunt compotum de lx. £ de firma de Clive.

<sup>d</sup> Homines de Brikestok, reddunt compotum de lx. £

de firma villæ suæ.

<sup>e</sup> Homines de Torp lx. £ de firma de Torp.

<sup>f</sup> Homines de Selveston, reddunt compotum de xviii. £ de firma ejusdem manerii.

<sup>g</sup> Homines de Geytinton, reddunt compotum de xli. £ de firma de Geytinton. — Mag. Rot. Pip. 46 Hen. III.

<sup>h</sup> Madox Firma Burgi.

duty of the sheriff of each county to collect all crown rents, and regularly pay them into the exchequer, whilst a large amount of the royal expenses was also defrayed by the money which passed through his hands. He was the king's farmer, or bailiff, his collector of rents and other revenue. When the royal treasure was to be conveyed from one place to another it was entrusted to his charge<sup>i</sup>. When fixed payments, such as alms (*eleemosinæ constitutæ*) or annuities, were to be discharged, the sheriff attended to the matter; on some occasions he received special writs to provision the royal castles, to furnish wine, and the common necessities of life, even clothing for the king and the royal family. The mandates addressed to him were of the most varied description. Take this in the 6th of John (1204), as one example; 'To the sheriff of Southampton, We order you to allow Thomas Esturmy, our valet, a scarlet robe, with a cloak of fine linen, and another robe of green or brown, and a saddle, and a pair of reins, and a cloak for wet weather, and a couch, and a pair of linen sheets, as he is to be made a knight<sup>k</sup>.' Take others more immediately connected with Northampton-

<sup>i</sup> Rot. Claus. 15 John, p. 158, b.

<sup>k</sup> Rot. Claus. p. 3, and Genl. Introd. xl.

shire. In the 6th of John, (1205,) the sheriff of Northamptonshire is ordered to find things necessary for the houses and walls at Silveston<sup>1</sup>; in the 16th of John, (1214,) to take care of eleven horses and their seven keepers till he hears further<sup>m</sup>; in the 6th of Hen. III., (1221,) to take good bail for those suspected of murder; to see that the royal huntsman, with two horses, three men and sixteen dogs for running fallow deer, should be taken care of; and another huntsman with the same number of men and horses, with fifteen dogs for hunting stags<sup>n</sup>, should be provided for at the expense of forty shillings<sup>o</sup>; that the houses at Brigstock should be repaired<sup>p</sup>, &c. There was in short scarcely any kind of business whatever, whether important or trivial in its nature, but what fell under the sheriff's numerous duties. He was the local officer of justice, and disbursed money for executions and duels, and for conveying felons and approvers from place to place. Thus in the Pipe roll of 13 Henry II., (1167,) there is an entry

<sup>1</sup> Rot. Claus. 20.

<sup>m</sup> Ibid. 176.

<sup>n</sup> Thus also in the Chancellor's roll we find Richard Basset rendering account of five marcs for the licence of

having dogs to hunt the fox and hare. (Canes ad vulpem et leporem).—Rot. Cancel. 3 John.

<sup>o</sup> Rot. Claus. 482.

<sup>p</sup> Ibid. 495.

of this kind for the cost of bringing two of the latter here from Oxford.

No doubt their accounts were carefully rendered annually from the time of the Conqueror's survey up to the period when we first meet with them in the 31st of Henry I. (1130.)

The money was weighed at the Exchequer, and the deficiency, however small, invariably entered on the accounts; thus in the 41st Hen. III.<sup>a</sup>, the purse of Northampton lacked 3*l.*, and as the revenue was paid into the exchequer, sometimes by weight, and sometimes by tale, so were proper officers and utensils provided there for weighing, telling, assaying, and laying up the money. In the 26th Hen. II., (1180,) the sheriff of Northamptonshire was allowed upon his account what he had laid out in carriage of treasure from Northampton to Nottingham, by Wm. Malduit the chamberlain, and John Cumin, according to the king's court, five shillings; and in payment to Gilbert the fusor, or melter, from the Nativity of the blessed Virgin to the octaves of St. Michael, ten shillings, and for charcoal and things necessary for making the examination, four shillings and

<sup>a</sup> Mag. Rot. Pip. 41 Hen. III.



seven pence, by the same writ<sup>r</sup>. So carefully was the money assayed that the smallest deficiency was entered on the accounts<sup>s</sup>. Unfortunately after the compilation of the great survey, until this exact time, there is nothing preserved to us which is at all analogous in character. But in this year of Henry the First's reign, we come to a class of documents of the most important kind, generally known by the name of the Great Rolls of the Exchequer, or more commonly under that of the Great Rolls of the Pipe. They are such extremely valuable documents for all historical, legal, or antiquarian purposes, that I should briefly state the nature of their contents, more especially as we shall be indebted to them for all our information respecting the town, until its internal government became more fully matured and developed. The Pipe rolls contain a series of entries made by the king's officers relating to the receipt and expendi-

<sup>r</sup> In carriagio thesauri a Norhantona usque ad Notingham, per Willelmum Malduit Camerarium et Johannem Cumin, v. s. per idem breve; et liberacione Gilberti Fusoris a Nativitate B. Mariæ usque ad octabas S. Michaelis, x. s. per idem breve Regis; et pro

carbonibus et necessariis ad examinationes faciendas, iiij. s. et vij. d. per idem breve.—Mag. Rot. Pip. 26 Hen. II., Rot. 6, a. and b.

<sup>s</sup> Bursa de Northampton lacat iiij. d.—Mag. Rot. Pip. 41 Hen. III. Rot. 27.

ture of the royal revenue, as it was collected or disbursed either by the sheriffs or the king's other ministers appointed for the purpose. If the king required money very urgently, he however often addressed to them special writs, and one of this kind was sent in the 39th Hen. III. to the sheriff of Northamptonshire, commanding him to pay forthwith into the exchequer the debts mentioned therein, or else the king would so chastise him, as to make him an example to all the king's other bailiffs<sup>t</sup>. The various entries relating to each county are written on separate rolls with the name of each at the back, that is to say, strictly speaking, endorsed; the receipts come first on the list, and then the different outlays which had been authorised by the crown. Occasionally the particulars belonging to individual counties fill several

<sup>t</sup> Rex Vicecomiti Norhamton; certe si ad te et tua nos graviter caperemus, non deberes mirari, pro eo quod quasi contempnendo nostrum preceptum, tallagium Burgi nostri de Norhamton, quod solvi debuisset a die Paschæ proxime præterito in unum mensem, nondum est nobis solutum; igitur ne in te manus gravaminis extendamus; tibi

præcipimus, quod statim visis litteris, dictum Tallagium, una cum £42. 13s. 4d. quos nobis debes de pluribus debitis, ad Scaccarium nostrum apud Westmonasterium statim mittas; alioquin sic te castigabimus, quod poena tua aliis Ballivis nostris dabitur in exemplum.—(Trin. Commun. 39 Hen. III. Rot. 13. a. apud Madox, 244.)



membranes, some of which are written on both sides, and the top of all the rotulets being united together, they form what may literally be called, without any reference to their contents, the Great Roll of the Pipe. Six detached rolls, namely, 31st Hen. I., (1130, 1131,) the 2nd, 3rd, and 4th, of Hen. II., (1155—1158,) the 1st Ric. I., (1189, 1190,) and the 3rd of John, (1201, 1202,) have been printed; and there still remains of this description of record, invaluable to those who desire to become acquainted with local, personal, or national history, a series wanting only two rolls to make it complete, (1st Hen. III., and 7th Hen. IV.,) beginning at the 31st Hen. I., in the year 1130, and coming down to the present day.

In the earliest of these records we find that Robert Revel, who was the king's farmer in 1130, rendered an account of the farm of the borough. He paid into the exchequer £90. 14*s.* 3*d.*; he had disbursed in fixed payments £8. 2*s.* 1*d.*; in fixed alms to the monks of Northampton twenty shillings, and to the same monks 3*s.* 8*d.* for their land which the king took within his castle; being in all exactly a hundred pounds<sup>u</sup>; so that within the fifty

<sup>u</sup> Pipe roll. 134. Mag. Rot. p. 11. Madox Hist. Excheq.  
Pip. 31 Hen. I. Toll cause, 248.

years which intervened between the Conqueror's survey and this time, the fee farm of the town had increased from £30. 10s. to £100, as just stated.

The payments varied according to circumstances, or as the king's writ directed. Some of them were fixed disbursements from the fee farm, such as those made to the monks and the knights templars, or in alms; others were casual, like those made in repairing the castle; in wages to the soldiers; to John, chaplain to the queen of Spain, who dwelt in the schools of Northampton for three weeks; for conveying Henry the Second's treasure from Huntingdon to Northampton<sup>x</sup>; for providing cloth and garments for the royal servants<sup>y</sup>; or for the taking

<sup>x</sup> Et in liberacione Johannis Clerici A. Reginæ Hispaniæ qui moratur in scolis apud Norhampton vi. sol. de iii. septimanis per breve Regis. Et Hugone Salnario xii. sol. pro armaturis quos duxit de Hundedon a Northampton per breve Regis. Et pro ducendo thesauro ad Wudest et ad Gaitenton, et ad London vii. sol. per Wallerannum et Odonem de Falesia. Et pro facienda justitia de Willielmo de Hetford xv. d. Et quietus est. —Mag. Rot. Pip. 2 Hen. II.

(1176.)

<sup>y</sup> Et pro pellura empta ad opus Regis in eadem villa contra festum natalis Domine anno xlvi. xlviii. li. iii. s. et iiii. d. per breve Regis. Et in garderoba Regis Nicholas de Leukenor custodi ejusdem garderobæ lxix. li. xl. s. x. d. per breve Regis. Et pro xxviii doliis cerevisiæ cc et lxviii pitheris, ccc et lx ciphis, captis ad opus Regis xv. li. ix. s. ii. d. per breve Regis. Et pro pellura capta ad opus ejusdem in nundinis Stanfordiæ per Ro-

the king's hunting from Brigstock to Canterbury<sup>2</sup>. Then we also find as early as the 7th Hen. II., (1160,) a payment made from the moneyers to the sheriff, of 26 marcs, and in the 28th of the same reign, (1182,) this became a regular source of revenue to the crown of sixty shillings a year for a century downwards.

bertum de Linton et hugonem de Turri tunc emptores garderobæ Regis lxxiii. s. per breve Regis. Et pro pellura emptæ ad opus ejusdem in nundinis Northantonæ per Ric. de Ewall et dictum Hugonem xx. li. iiij. s. vi. d. per breve Regis. Et in eadem garderoba eidem Nicholao iiij. xv. li. xii. s. viij. d. per breve Regis. Et pro cc et iv paribus sotularium emptis ad mandatum Regis et Reginæ ad opus pauperum anno 4<sup>o</sup>. iiij. li. xvij. s. x. d. obolus per ij brevia Regis.—Mag. Rot. Pip. 50 Hen. III.

This entry in the following year supplies us with another illustration, and also with the value of other articles at this period.

Et Petro de Bleyne Mercatori Wasconensi pro iii. doliis vini ab eo captis apud Kenill-wurth ad opus Regis xv. li.

per breve Regis. Et Ricardo de Ewell et Hugoni de Turry emptoribus garderobæ Regis ad emptiones ejusdem garderobæ factæ in nundinis Northantonæ xlviii. Et Barth. le Espicer et Ernaldo de la Rokele pro duobus doliis vini ab eis captis ad opus Regis apud Northantonam x. li. &c. &c.—Mag. Rot. Pip. 51 Hen. III.

<sup>2</sup> Et in operatione camini et domorum Regis de Northampton vii. lib. per breve Regis et per visum Henrici filii Thiardi et Phillippi filii Jordani. Et pro pannis atque penulis ad opus servientium Regis vi. lib. xvii. sol. et vi. d. per breve Regis. Et pro ducenda venacione Regis de Brigstock usque ad Cantuariam xi. sol. per breve Regis. Et in operatione Regis de Selvistona. xvi. sol. per breve Regis. Et quietus est.—Mag. Rot. Pip. 25 Hen. II. (1179.)

This farming of the county was so profitable a thing, that the nobility began to bid against each other for the office. The bishop of Ely offered for the fee farm of York, Lincoln, and Northampton, 1500 marcs in hand, and a hundred increase yearly upon the usual farm of each county; but Geoffrey Plantagenet, the monarch's illegitimate son by fair Rosamond, having offered the same annual increment, and 3000 marcs for the sherifdom of Yorkshire alone, the king accepted his tender<sup>a</sup>. From this it is very evident that the yearly rent of a hundred pounds for the fee farm was below its real value, and we learn moreover from the Pipe rolls, that in the 31st Hen. II., (1185,) the burgesses of Northampton suffered a fine of 200 marcs to hold their town in capite<sup>b</sup>.

This is the first important change observable in the tenure.

The town was still held in free socage, that is, exempted from any acknowledgment or service to the crown except in money. The burgesses had it now immediately from the king, and no longer paid their rent through the sheriffs. Moreover there

<sup>a</sup> Madox Excheq. 635.

in capite de Rege. In thesauro

<sup>b</sup> Burgenses de Norhant.  
reddunt compotum de cc.  
marcas, pro habenda villa sua

c. marcas. Et debent c. marcas.  
—Mag. Rot. Pip. 31 Hen. II.

existed such general dissatisfaction in consequence of the severity with which these officers performed their functions, so many complaints were raised against their quartering a large retinue of followers upon the people, and abusing the hospitality of religious houses, that Henry II. displaced several, and forfeited them for their misdemeanors. These two circumstances will at once explain the reasons which induced the burgesses to undergo the fine just mentioned, and farm the town for their own profit; since by so doing they both effected a pecuniary saving, and at the same time became freed from an oppressive jurisdiction. In fact the arbitrary conduct of the sheriffs was one cause of similar immunities being now granted to other towns, whilst the Great Charter of John, the statute of Westminster the first, (3rd Edw. I.,) as well as the articles upon the former, passed in the 29th Edw. I., shewed that the evil existed for some time afterwards, and required direct legislative interference before it could be suppressed. We may however observe that in consequence of the burgesses now holding their fee farm as tenants in capite, they became liable to regular assessment for aids, and although it is true they had paid them on two previous occasions, it was only doing as other towns did under the same

circumstances, one of which occasions being to make provision for Henry II. marrying his daughter Matilda to the duke of Saxony, from whom descends the present house of Brunswick, this payment must be regarded rather as a voluntary contribution (donum) arising out of the emergency, than as a regular annual tax<sup>c</sup>. And in confirmation of this we see that although the burgesses made a donation of forty marcs in the 2nd Hen. II., they did not offer any during the four succeeding years<sup>d</sup>.

<sup>c</sup> Madox Excheq. 417, 418.

<sup>d</sup> Et idem Robertus filius Sawini reddat compotum de xl. marcis de Dono Civitatis Norhantonæ. In thesauro liberavit. Et quietus est.—Mag. Rot. Pip. 2 Hen. II.

Et idem reddat compotum de cc. marcis de dono Burgi de Norhantona.—Mag. Rot. Pip. 5 Hen. II.

Idem (Robertus filius Sawini) reddat compotum de xxvi. li. et vi. sol. et viii. d. de dono Civitatis.—Mag. Rot. Pip. 6 Hen. II.

Robertus filius Sewini reddat compotum de c. li. de firma de Norhamtona. Idem reddat compotum de cc. marcis de auxilio Burgi de Norhamtona ad maritandam filiam Regis.—Mag. Rot. Pip. 14

Hen. II.

Idem reddat compotum de quater xx. li. et xxxiii. s. et iiij. d. de auxilio Burgi de Norhantona ad maritandam Matildam filiam Regis.—Mag. Rot. Pip. 15 Hen. II.

Idem Vicecomes reddat compotum de ix. li. et xii. s. de auxilio Burgi de Norhantona ad maritandam filiam Regis.—Mag. Rot. Pip. 16 Hen. II.

Idem Vicecomes debet vi. li. et xiii. s. et iiij. d. de auxilio ad maritandam filiam Regis.—Mag. Rot. Pip. 17 Hen. II.

Et idem [Robertus filius Sawini] reddat compotum de c. et lx. marcas de dono de Norhant. in thesauro liberatur in ii. talliagiis.—Mag. Rot. Pip. 7 Hen. II.



The system of providing for the royal expenditure by means of fines being found so easy a mode of raising money, it was very soon applied in an almost innumerable variety of ways. Did a suitor wish to obtain ready access to the king's ear, or any office in the state, or to have seisin of his land? it was readily done by paying a fine. Did he wish justice expedited, or personal protection, or a delay of judgment? payment of a fine purchased the favour. Did he desire to pursue any particular trade or calling, or to marry, or to be discharged from prison? a fine gained him the wished-for indulgence. And so also when communities, or aggregate bodies sought for any extension of their privileges, the same mode of proceeding procured an answer agreeable to their petition<sup>e</sup>.

The urgent necessities of Richard I. speedily led him to adopt these methods for increasing the accumulated wealth of his father. Immediately in fact that he came to the throne, though he is stated to have found £900,000, besides jewels, in the royal coffers, he began to sell the crown lands, to grant

<sup>e</sup> For instance, many fines related to trade or merchandise; thus among other examples the men of Northampton rendered an account of ten pounds that they might be able

to buy and sell dyed cloth, as they had been accustomed to do in the time of King Henry.—Mag. Rot. Pip. 4 John, Rot. ii. 6.

immunities, exemptions, privileges, and charters, on such terms as he thought proper, for the sake of raising money for a crusade. It is well known that his expedition to the Holy Land, and his subsequent ransom from captivity, required immense sums, which were levied under every form and pretence that ingenuity or tyranny could suggest. The Jews however were despoiled of their wealth without the formal consolation of a legal process, and they had in other respects still stronger reasons for complaint<sup>f</sup>. It must not however be concealed that the feeling of the nation was completely identified with that of the king in the object of his present enterprise. All classes partook in an equal degree of the prevailing phrenzy to chastise the infidels, who had so long insulted or cruelly treated the Christian pilgrims to the holy sepulchre; and when the English monarch was detained in captivity, notwithstanding the exactions he had made from his subjects to accomplish his heroic enterprise, sincere and universal grief was expressed at his fate. Yet weighing in our minds at the present day the motives of this great religious movement,

<sup>f</sup> In the new edition of the *Fœdera* is a writ printed from the Patent rolls, (45 Hen. III. 1261,) ordering amongst others

the sheriff of Northamptonshire to take all the property of the Jews into their hands for the king, vol. i. p. 407.



much doubt must arise as to its justice. That a unity of spirit pervaded all Europe there can be no doubt, but its being the universal passion of Christendom, unregulated as it was in so many respects, does not prove that it originated in those maxims of international equity which ought to be based on religious toleration. Nor indeed must it be forgotten that the sympathy of his own subjects was excited by a monarch, who as a ruler was but little worthy of their affection ; for in despite of that lofty courage and magnanimity, qualities which in the present example will always claim recognition, and carry their peculiar recommendation to enthusiastic and imaginative minds, to all the admirers of fiction and romance and poetry, the dishonourable modes he adopted to retrieve his impoverished finances, shew too clearly that the code of chivalry was far from being identified in his bosom with that of honesty and justice. The alienations he had granted before his departure were reversed instantly he returned home. All the patents and commissions he had executed were to be renewed by passing with a fine under a fresh seal, and even jousts and tournaments, those training schools of daring and gallantry of which he may be said to be in great measure the founder, were forbidden,

solely that he might receive a fine from the knights or nobility, in proportion to their rank, as they entered the barriers.

Yet amid all the false maxims of honour and morality which were in vogue, amid the unnatural union subsisting betwixt religious and military zeal, we may perceive the germ of those noble habits of mind which still retain a striking effect upon the national character, and which have imparted from a wild and uncontrolled state of manners much of the grace and dignity belonging to modern society. We may see, moreover, how the spirit of chivalry, contradictory as it may be in itself, helped to keep alive national prowess at home, to furnish a supply of recruits to defend the country in times of danger, and when the power of the nobles declined, who held their lands by bringing these soldiers into the field, we may observe how the Commons of England acquired strength and influence from their ruin. But these, after all, are the least valuable reflections that will present themselves, since the crusades gave the first moral impulse towards the enfranchisement of the human mind, whilst the oppressive government of Richard I., swayed entirely by the general movement in their behalf, began to create new interests in the kingdom, which tended in

turn to balance the power of the great proprietors, tenants in capite, as well as to produce those important changes by which the constitution of the country was placed on the foundation where it now rests. And thus also shall we learn how, as in the present instance, the burgesses of large towns became more independent, began to acquire municipal jurisdiction under their own officers, and to possess increased influence in the state.

Cœur de Lion ascended the throne on the 3rd of September, 1189. On the 14th of the same month he held a great council at the abbey of Pipwell, in this county, now destroyed. It was attended by a numerous assemblage of ecclesiastics: the whole of the English and Irish bishops were present, all the abbots and priors throughout England, as well as a large number of the laity. The main object of

‡ There had been in the reign of Will. II., (11th Mar. 1094,) a very large concourse of the nobility and ecclesiastics of the realm assembled at Rockingham, in the immediate neighbourhood, when a council was held on Sunday, in the church, contiguous to the castle, to determine the question whether Anselm should swear obedience to the pope without the king's consent, the

result of which was that the clergy renounced their obedience to the primate. Eadmer, who was attached to the archbishop, in his account of what took place on this occasion, mentions a knight, who in the name of the people there present encouraged the traitorous prelate in his resistance. Eadmeri Historia Novorum, p. 26, &c.

this extraordinary meeting was to make arrangements respecting a crusade. We have already observed what modes were adopted to raise the necessary funds for this expedition, and the not very distant situation of Northampton from the seat of these deliberations might have suggested to the king's mind, had there existed no other circumstances to remind him of the importance of the place itself, that the town might help him to increase the sums he needed. This however is pure conjecture, since we know not in short how long the council sat, or in truth but very little of its proceedings. That Richard I. was thoroughly devoted to business, energetic beyond most sovereigns who have sat on the throne, and determined to accomplish the object of his ambition, there cannot be the least doubt. What length of time he stayed at the abbey of Pipwell, it is now impossible to tell, for we cannot trace the daily journeys of the prince in this reign so satisfactorily as in the following ones, the records of the period being generally lost, and all historical information very meagre. We hear no more of the king until the month of November when we find him still occupied in taking active measures respecting the expedition, granting on the first of the month in London a charter to the town

of Shrewsbury, and on the fourteenth issuing from Bury St. Edmunds the one before us, to the burgesses of Northampton. The town had previously enjoyed one from Henry II., that is now lost<sup>h</sup>, but of which this appears to be a confirmation.

For the reasons already assigned, Richard I. extended similar favours to other places, to Colchester, Winchester, and Lincoln. These various charters however are not all equally full, since that given to Shrewsbury, for instance, contains fewer immunities and concessions than the others, and it may be observed in passing, that the burgesses there paid proportionably less for the royal consideration. The general tenor of any one of these instruments will be found upon comparison to agree with the rest. It may also further be remarked that whilst tracing the origin and progress of any borough of importance, we are in fact marking the history of municipal institutions generally, and stretching our enquiries over a large portion of English jurisprudence.

<sup>h</sup> It is most likely that the charter inserted in the new edition of Rymer, (vol. i. p. 11,) and granted to the citizens of London, was much the same as the one given to the burgesses of Northampton, as we

see that the latter were to hold the privileges belonging to the former. This charter, which has been assigned to the reign of Hen. I., is very similar to that granted to Northampton by Richard the First.

As this charter of Cœur de Lion is both the basis of those given in succeeding years, and is included in subsequent grants to the burgesses, it will be desirable to examine its various clauses rather closely. By adopting this method we shall be the better prepared to understand as we go on step by step, the actual progress that is being made from a state of servitude, feudal tyranny, and barbarism, to one of increased liberty and civilization. For the same reason it will be of importance to ascertain the meaning, and to deduce constitutional or practical conclusions from these documents, but the simple analysis will furnish the best moral comment that can be made upon their contents.

¶ Ricardus Dei gratia Rex Angliæ Dux Norman- niæ Aquitanie comes Andegavensis Archiepiscopis Episcopis Abbatibus Comitibus Baronibus Justiciis Vicecomitibus et omnibus ministris et fidelibus suis Franciæ et Angliæ Salutem. Sciatis nos concessisse Burgensibus nostris de Norhanton quod nullus eorum placitetur extra muros Burgi Norhant. de nullo placito præter placita de tenuris exterioribus exceptis monetariis et ministris nostris. Concessimus autem quietanciam murdri infra Burgum et in Por-soka et quod nullus eorum faciat duellum et quod de placito ad Coronam pertinentibus se possint dis-



coronare secundum consuetudinem Civium Civitatis Londoniæ et quod infra muros Burgi illius nemo capiat hospitium per vim ullum pro liberatione marescalli. Hos autem eis concessimus quod omnes Burgenses Norhant. sint quieti de theloneo et leste-gio per totam Angliam et per portas maris. Et quod nullus de summa pecuniæ judicetur nisi secundum legem quem habent Cives nostri Londinenses. Et quod in Burgo illo in nullo placito sit meskin-ninga et quod hustings semel tantum in ebdomada teneatur, et quod terras suas et tenuras et vadia sua et debita sua omnia juste habeant quicunque eis debeat. Et de terris suis et tenuris quæ infra Burgum sunt rectum eis teneatur secundum consuetudinem Burgi, et de omnibus debitis suis quæ accommodata fuerunt apud Norhant. et de vadiis ibidem factis placita apud Norhant. teneantur. Et siquis in tota Anglia theloneum vel consuetudinem ab hominibus Norhant. ceperit postquam ipse a recto defecerit Propositus Norhant. namium inde apud Norhant. capiat. Insuper et ad emendacionem illius Burgi eis concessimus quod sint quieti de Bradtol et de Childwete et de Hieresgive<sup>i</sup> et de Scottale ita quod Propositus Norhant. aut aliquis alius Ballivus

<sup>i</sup> Bradtol, Gildwite and Yeresgeve in the charter of 11 Hen. III.

Scottale non faciat. Has predictas consuetudines eis concessimus et omnes alias libertates et liberas consuetudines quas habuerunt aut habent Cives nostri Londinenses, quum quin meliores aut liberioribus habuerunt secundum libertates Londinenses et leges Burgi Norhant. Quare volumus et firmiter precipimus quod ipsi et heredes eorum habeant omnia prædicta, hereditarie habeant et teneant de nobis et heredibus nostris reddendo per annum centum et viginti libras numero de villa Norhant. cum omnibus pertinentiis suis ad Scaccarium nostrum in termino Sancti Michaelis per manum propositi Norhant. et Burgenses Norhant. faciant propositum quem voluerint de se per annum sicut sit idoneus nobis et eis. Teste Hugone Dunelmensi; Johanne Norwicensi; Huberto Sarum: Episcopis. Comite Albermarle: Comite Willelmo de Arundel: Comite Ricardo de Clara: Comite Hamelin de Warenne. Waltero filio Roberti. Datum apud Sanctum Edmundum xviii. die Novembris per manum Willelmi Electi—Elyensis Cancellarii nostri Regni nostri anno primo.

¶ On the dorse; ista carta allocata per Johannem Peche maiorem Civitatis Londoniæ & Aldermanum ejusdem civitatis et intratur in camera Gyhalde ejusdem civitatis videlicet in libro cum littera



G. folio centesimo. Willelmo de Holbeche & Jacobo de Tame tunc temporis vicecomitibus Londoniæ.

This charter of 1st Richard I., (1189,) declares,

1. That the burgesses should not be compelled to plead on any plea without the walls of the borough, except pleas of outholdings, unless they were the moneyers and ministers: which was a saving of considerable expense to all suitors, and productive of more advantages than would immediately seem to arise out of such a license, as we shall shortly see from subsequent events that transpired.

2. That they should have acquittance of murder within the borough and in portsoken. That is, in case a person should be murdered within the town, suburbs, or liberties, they should be free from amerciamment; the laws of Canute having fixed a fine of forty marcs upon every town where such offences were committed.

3. That none should make duel. That is, be compelled to establish his own innocence in a criminal, or his rights in a civil cause by this personal hazard. Here again was a considerable advantage obtained, as all questions in the previous reign, whether pleas concerning freehold, writs of

right, warranty of land, or of goods sold, debts upon mortgage or promise, the validity of charters, the manumission of villeins, and all questions of service, might have been referred to this mode of trial<sup>k</sup>.

4. That of pleas appertaining to the crown they may justify according to the custom of the citizens of London: which was, that a man could discharge himself by his oath within the walls of the city.

5. That no one could take hostellage (lodging) by force, or be compelled to entertain one of the king's household.

6. That they should be free from toll and lastage; that is, toll and customs throughout all England; that no one should be adjudged of amerciaments of money, but according to the law of London, which fixed them at a certain sum.

7. That there be no plea miskenning; that is, that no one should be called into law unjustly. That the hustings, or supreme court of the town, should be held only once in the week.

8. That they justly have all their holdings and lands, to be kept according to the custom of the

<sup>k</sup> Reeve, i. 83.

borough, and that all pleas concerning their debts and pledges should be held at Northampton.

9. That all tolls unjustly taken from the burgesses in other places, if not redressed there, the provost, (*propositus*,) has power to do justice within the town of Northampton.

10. That for the amendment of the town the inhabitants be quit of brudtol, childwete, hieresgive, and scottale. These terms involve some difficulty for exact interpretation, as they were evidently borrowed from some of the ancient Saxon laws, and their exact meaning was very soon lost.

11. That all these privileges should be held as freely and fully as the citizens of London held theirs, and the like customs and privileges be shared by both; that they should be held hereditarily by them and their heirs, rendering yearly to the exchequer at the term of St. Michael by number, (*numero*,) that is, by tally, or tale, in the coin of the realm, £120, by the hands of the provost of Northampton: and lastly,

12. That the burgesses should make a provost of themselves, whomsoever they selected as proper for themselves and the crown. This power of being permitted to choose its own magistrates has been

usually accounted by every community one of the first advances to freedom. The privilege of electing its own magistrates is the earliest boon granted to a new settlement, and so highly was it esteemed by the modern Greeks, that in 1810 the Hydriotes purchased it from the Sublime Porte for a considerable sum. It is an acquisition implying increased confidence on the one hand, and enlarged powers on the other, though not political independence.

The period when this charter was granted has been called by several statutes, and by the common law of England, the time of prescription, (particularly in the statute *de Quo Warranto*, 18th Edw. I., 1289; vid. Stat. of the Realm, vol. i. p. 107,) or the time of legal memory: therefore all rights which can be established at this period, must be either built upon something previously granted, of which there was existing tradition, or else upon what now for the first time had its existence. What is the inference we are to draw from this legal argument? We may see that as there is not any mention of a corporation made in the grant, or any allusion to one antecedently, or any notice whatever of corporate rights, there could not have been such things in existence at this precise period. We may further perceive that it was the resident

inhabitants, the men who should not be compelled to plead without the walls, who constituted the burgesses; these men were authorized to choose their own magistrate, and as soon as he was elected, the assembly dissolved itself, leaving to the officer on whom their suffrages had been bestowed, the uncontrolled management of their affairs for the rest of the year. He was the interpreter of the borough charter, and the organ of local legislation. And what effect or influence was wrought upon the people by this judicial and commercial code? It tended to carry them by degrees from a state of internal disorganization and civic disunion, into one of social alliance and confederacy; it encouraged them in all their struggles against the difficulties of practical life, taught them to acquire confidence in their own industrial exertions, and if they were still too modest, or too much depressed to think of the possibility of obtaining any honours beyond their own walls, it bid them aspire to the distinction of being selected by their townsmen for chief magistrate.

Five years after Richard had confirmed his father's charter, an alteration took place in the manner by which the fee farm was to be paid, as we find from the Pipe rolls, that it was not dis-

charged by the reeve, but by Adam de Gurnai, and Roger the son of Peter, who are called *Præpositi*, or provosts<sup>1</sup>. It has been conjectured, that whilst the title of reeve was the Saxon name for the chief municipal officer of the borough, it had its correspondent synonymes in Norman-French, in the words *prévot*, *maire*, and *bailli*, and that consequently all these terms having the same signification, they were used indiscriminately. But such a supposition implies a very imperfect knowledge of etymology, and is by no means agreeable to the truth. For it is quite certain that the *Præpositi* just mentioned were merely the fermers of the town, since the burgesses had suffered a fine of £100. a year later, and another of £30. two years after the charter was confirmed, to farm the borough

<sup>1</sup> Robertus Revellus red-  
dat compotum de firma Burgi  
de Norhamtona: in thesauro  
quater xx. et x. li. et xiii. s.  
et iii. d. et in liberacionibus  
constitutis viii. l. et ii. s. et  
i. d.; et in elemosinis consti-  
tutis Monachis de Norham-  
tona xx. s., et eisdem Mona-  
chis iii. s. et viii. d. pro terra  
sua quam Rex cepit infra cas-  
tellum suum; et quietus est;  
et idem Robertus reddat com-

potum de auxilio burgi de Nor-  
hamtona. In thesauro viij. li.  
et iiij. s. Et in pardona per  
breve Regis Monachis de  
Norhamtona xxxxiij. s. Wil-  
lielmo de Aleini Britoni ij. s.  
—Mag. Rot. Pip. 5 Stephen.

Adam de Gurnai et Rogerus  
filius Petri præpositi de Nor-  
hamtona reddunt compotum de  
c. et xx. li. de firma Burgi de  
Norhamton.—Mag. Rot. Pip.  
5 Ric. I. Rot. 7. b.



themselves<sup>m</sup>, and were answerable for the fee farm in the 10th of John.

<sup>m</sup> Burgenses de Norhantona reddunt compotum de c. li. pro habenda villa sua ad firmam et pro libertatibus suis habendis. In thesauro lxx. li., et debent xxx. li. Radulphus de Buseville et Johannes filius Nigelli reddunt compotum de c. et xx. li. numero de firma Burgi.—Mag. Rot. Pip. 2 Ric. I.

Burgenses de Norhantona reddunt compotum de xxx. li. pro habenda villa sua ad firmam et pro libertatibus suis habendis; in thesauro liberatur, et quieti sunt.—Mag. Rot. Pip. 3 Ric. I.

Henricus filii Hugonis et Simon de Bedeford reddant compotum de c. et xx. li. de firma Burgi de Norhantona. In thesauro c. et xvij. li. et vi. s. et viii. d. numero. Et in elemosinis constitutis Militibus de Templo l. marca. Et Roberto filio Hugonis filii Sewin xx. s. in prato de Chingeshala. Et quieti sunt.—Mag. Rot. Pip. 4 Ric. I.

Richeras Vinitor et Tomas le Bachelor reddunt compotum de c. et xx. li. numero de firma Burgi de Norhantona. In thesauro c. et xvii. li. et

vi. s. et viij. d. numero.—Mag. Rot. Pip. 6 Ric. I.

Tedbaldus filius Rogeri et Willielmus Passelewe præpositi de Norhantona reddunt compotum de c. et xx. li. numero de firma Burgi de Norhantona. In thesauro c. et xvij. li. et vi. s. et viij. d. numero.—Mag. Rot. Pip. 7 Ric. I.

Simon de Pateshil reddat compotum de firma de Norhantescire. Burgenses de Norhantona debent de remanenti firmæ villæ de Norhantona de anno preterito. Idem reddant compotum de c. et xx. numero, scilicet Adam de Gurnai et Henricus filius Conani pro eis de firma Burgi de Norhanton de hoc anno. In thesauro c. et xvij. li. et vj. s. et viij. d. numero. Et in elemosinis constitutis Militibus de Templo l. marca. Et Monachis ejusdem villæ xx. s. Et debent xx. s.—Mag. Rot. Pip. 8 Ric. I.

The different computations of money in the survey are by the libra or pound, the mark, the ora, the shilling, penny, &c. The libræ ad pensum, or pondus, formed the payment when the coins

Within the first year after John commenced his reign, he began to grant very profusely new charters, and confirmations of old ones, to such places as had obtained them from his brother or his ancestors. The rolls on which they are entered are unfortunately very imperfect, six years of his troublesome reign furnishing none of these important records. The municipal archives of the borough only possess a paper transcript of the document we shall next examine, but the original enrolment is among the charters at the Tower, and has been printed in the volume of these instruments published under the authority of the record commissioners<sup>n</sup>.

offered at the exchequer were defective in fineness as well as weight. On this occasion the receivers at the exchequer either melted a sample of the money paid, or received sixpence or a shilling over every twenty in lieu of actual combustion. The money so melted was said to be blanché. The *ora* was valued at twenty pence. (See *Introd. to Domesday*, li. lii. liii.) The usual payments for the fee-farm were by tale, (*numero*.) In the 18th year of Hen. II., two payments

were made, one by tale, the other blanch. Robertus filius Servini reddat compotum de c. et v.s. in *blanco* de veteri firma de Norhantescire. Idem vicecomes reddat compotum de c.li. *numero* de firma Burgi de Norhantona.—Mag. Rot. Pip. 18 Hen. II.

This difference betwixt the county and the borough in the mode of payment occurs on other occasions.—Mag. Rot. Pip. 32, 33, 34 Hen. II.

<sup>n</sup> Rot. Chart., pp. 45, 46.



## ¶ CHARTER OF JOHN.

It commences by reciting the one that has been just examined, speaks of the burgesses of Northampton and the citizens of London as being equally governed by the laws granted by his father, and then goes on to declare that the burgesses shall make a reeve (*præpositus*) from among themselves, whom they will; in this manner, to wit, that by the common consent (*consilium*) of their township, they shall elect two of the more lawful and discreet men of the town and present them to the sheriff of Northampton, who shall present one of them to the chief justice at Westminster, when he ought to render his own account, who shall well and faithfully keep the reeveship (*præposituram*) of the town, and not be removeable so long as they conduct themselves well in their jurisdiction (*illa balliva*) unless by the common consent (*commune consilium*) of the town: that the burgesses shall elect four of the more legal and discreet men from the borough to keep the pleas of the crown, and all other pleas belonging to it in the same town, and to see that the reeves (*præpositi*) rightly and lawfully treat as well the poor as the rich.

In this charter we may observe the power already

acquired of electing a reeve for themselves not only confirmed, but augmented by permission of choosing a second, who was to be nominated by the sheriff. This is the first step, unless we except the two persons paying the fee farm in the 5th of Richard I., towards the election of bailiffs, if indeed these persons did not virtually enjoy that office. The four who were deputed to keep the pleas of the crown are functionaries who now appear for the first time, and the duties entrusted to them were to collect the forfeitures due to the king when any offences had been committed, such as homicide, theft or murder, or any other misdemeanor, or such as affected his own personal safety, or pleas concerning the fraudulent concealment of treasure trove, or civil pleas, such as pleas of debt. In short it was the power of determining all suits in the king's name, for offences committed against his crown and dignity as well as against the peace.

A charter analogous to the one before us was given to Lincoln<sup>o</sup>, Norwich, Shrewsbury, and Ips-

<sup>o</sup> In the year 1194, the citizens of Lincoln had rendered a fine of 500 marcs for such a confirmation of their liberties from the king, as he granted to the burgesses of

Northampton. — Mag. Rot. Pip. 6 Ric. I., Rot. 8. b.

And in the 1st of John, 1199, they underwent another fine of 300 marcs for farming the city, as they did on occa-

wich in the same year, and it also served as the type for the privileges bestowed upon the burgesses of Grimsby<sup>p</sup> and Lancaster<sup>q</sup>. This is all the burgesses of Northampton appeared to have gained in the present reign, unless we include them in the general advantages ratified by Magna Charta, which expressly defined burgage tenure as pure socage, and that these tenures and holding by fee farm exempted the tenants from military service<sup>r</sup>.

Yet we must not pass on to the reign of Henry III., without making an observation regard-

sion of this grant, as well as for its confirmation.—Mag. Rot. Pip. 1 John, Rot. 11. a.

<sup>p</sup> Homines de Grimesbi debent vi. marcas et i. palefridum, pro habenda carta Regis de libertatibus suis secundum tenorem Cartæ de Northampton.—Mag. Rot. Pip. 3 John, Rot. 2. b.

The custom of giving palefreys in addition to the fine for confirmation of privileges, was also known to the burgesses of Northampton; thus in the years 1200 and 1215 are the following entries: Burgenses de Northantona dant domino Regi cc. marcas et propter ea xl.

marcas unam G. filius Petri debet respondere et ii. bonos palefridos precii de x. marcas pro habendo villa sua ad firmam in manu sua, et pro libertatibus suis confirmandis. Rot. de Oblatis 1 John.

Burgenses de Northampton xli. li. et xv. s. et viii. d. et ii. palefridos pro habenda villa sua sicut continentur in Rot. xliiii. Burgenses de Northampton debent iiii. palefridos pro habenda inquisitione sicut continentur in Rot. xv.—Mag. Rot. Pip. 17 John.

<sup>q</sup> Rot. Chart. 26. 91.

<sup>r</sup> Charter of Liberties, p. 71; Report 72.

ing John's partiality towards the town itself. And this appears to have been manifested very decidedly by the frequency with which he made it his abode. If we except the 3rd and 4th years of his reign, which he spent exclusively on the continent, and the 12th, when we can only trace him in the neighbourhood of Northampton, we shall find that he paid it annual visits, sometimes four in the same year, from the time he ascended the throne until a few months before his death. We can certainly fix it as his residence for at least sixty-four days after he became sovereign of England<sup>s</sup>. It was probably in consequence of his often-repeated sojourn, that when he took umbrage at the conduct of the citizens of London, he caused the exchequer to be held here in the 10th of his reign from Michaelmas to the Nativity, and an allowance of a hundred and one shillings was accordingly made to the sheriffs of London and Middlesex for their charges in conveying hither the rolls and

<sup>s</sup> In the Mise Roll. of the 11th of John occur entries of payments made to the poor in consequence of the king eating fish and drinking wine on fast days, when he visited the town. Thus, To the abbot

of Binedon for alms to the poor on the day when the king eat fish and drank wine at Northampton, on the day of the adoration of the cross, xlvi. s. et x. d.

exchequer of the barons, and the exchequer and rolls of the Jews<sup>t</sup>.

### ¶ CHARTER OF HENRY III.

When Henry the Third assumed the sovereignty, the kingdom was in a state of great disorder and misery. The monarch was too young to take the direction of affairs himself, and consequently the government, during the earlier period of his reign, devolved in great measure upon his kinsman William Mareschall, earl of Pembroke. One of the first acts of the young king's advisers was to issue a general charter to his subjects; this was in great measure a repetition of his father's. It was confirmed the next year with a few additions to check the oppressions of the sheriffs. In the third year of his reign Henry's advisers addressed a writ to Fulke de Breaute and the bailiffs of Northampton, appointing bailiffs to keep the fair and regulate all things pertaining to the crown, more especially ordering that the merchants should liberally and freely deliver their wool, hides, and cloth, to the deputed bailiffs, knowing that the king would fully satisfy them according to their

<sup>t</sup> Madox Excheq. 130, 131.

value<sup>u</sup>. In the 11th of his reign he ratified to the burgesses of Northampton the privileges obtained from his ancestors. It might seem strange that so long a period should have elapsed before the king shewed this mark of consideration to the town, especially since we know that he had frequently been here since his coronation<sup>x</sup>, had kept his Christmas here with great state in the 3rd<sup>y</sup> and 8th years of his reign, (1224,) had held a colloquium, or great council of the nobility in the following year, and assembled another in the ensuing August. But this surprise vanishes upon knowing that the king was only just come of age, and had hitherto been incapable of exercising any authority. No sooner, however, was he invested with supreme power, than he declared the act of council passed in the third year of his nonage (which had stated that no letters patent should be held in perpetuity until he was of full age) to have ceased, and that those who wished to enjoy their liberties must renew their charters under his new seal, since he regarded ancient ones of no importance. In pur-

<sup>u</sup> Rot. Pat. 3 Hen. III. 50th, Jan. 8th, May 6th, June  
p. 1. m. 6. 10th, (Rymer, i. 468, 9;)

<sup>x</sup> Henry III. was at North- 52nd, July 20th.  
ampton 49th, April 11th; <sup>y</sup> Matt. West. 278.



suance of this, letters were addressed to the sheriff of Northampton and others, ordering them to apprise all who had had any grant of privileges, to renew them. Of course there was a fine fixed at the re-delivery, and the sum procured by means of this arbitrary conveyance of an *inspeximus*, raised throughout England £100,000. As this mode of obtaining money did not press upon individuals, after this reign it became common.

Passing over a writ in the 9th (1239) year, allowing certain customs for three years in aid of enclosing the town, and another to a similar effect in the 36th, (1252<sup>2</sup>), the burgesses acquired no fresh advantages until the 39th of Hen. III., (1255,) when they had freedom of arrest from debt in all parts of England, under a penalty of ten pounds, unless it appeared the debtors and burgesses were deficient in doing justice to their creditors.

<sup>2</sup> Another writ to the same purport was issued in the 53rd year of this king's reign in the following form: *Baronibus pro Ballivis et Burgensibus Norhamtonæ. Rex mandat quod allocent Ballivis et Burgensibus Norhamtonæ de firma sua ejusdem*

*villæ de termino S. Michaelis anno &c. xlvii<sup>o</sup> sexies viginti libras, quas Rex eisdem Burgensibus concessit de gratia sua speciali, ad reparationem et emendationem muri sui circumcipientis villam suam, &c.* — *Firma Burgi*, p. 289.

The charter of 11th Hen. III. authorizes the burgesses to choose two of the most legal and discreet men from the burgesses of the town, and present them by their letters patent to the chief justice at Westminster, who should well and faithfully keep the provostship (*præposituram*) of the same town: and also choose four of the most legal and discreet men of the same town by common consent to keep the pleas of the crown<sup>a</sup>.

In the charter of 41st Hen. III. it states “quod nullus mercator tempore nundinarum ejusdem burgi hospitetur in eodem burgo cum suis merchandis nisi de licentia et voluntate ballorum ejusdem burgi prout fieri debuit et consuevit in temporibus predecessorum nostrorum regum Angliæ.” The privileges embodied in this charter are granted to the burgesses and their heirs in perpetuity<sup>b</sup>.

Two years later (1257) the former grants were confirmed, and the burgesses were allowed the return of all writs within the borough, that is, the certificate of the sheriff made to the court of what he had done concerning the execution of any writ directed to him, was now given to the town, thus

<sup>a</sup> Tested at Westminster, at Windsor.

16th March, 11 Hen. III., 39  
Hen. III.; 7th April, tested

<sup>b</sup> Tested at Westminster,  
18th Jan., 41st year.



placing it by degrees completely independent of the sheriff, and saving the emoluments he had been used to receive, whilst his officers were prohibited from exercising any act within its liberties.

In the 40th of Hen. III., (1255, 1256,) Thomas Kin, 'mayor' of the town, and John le Spicer came into the exchequer, and claimed on behalf of the town to have return of writs. But they could not shew any warrant for such a claim. Upon which the sheriff of the county was commanded by writ to summon the mayor and bailiffs of the town, and twelve of the better and more discreet men of the said town, to appear at the exchequer on the morrow of St. Martin, to shew to the king for their whole town by what warrant they claimed to have return of the king's writs<sup>c</sup>. In the 52nd year of this reign all the foregoing privileges were confirmed, in consequence of their not having been so fully enjoyed through the late wars.

<sup>c</sup> Ex Mich. Recordo 40 Hen. III. incip. 41. Rot. 2. a. Firma Burgi, p. 159.

By an entry on the Great Roll of the Pipe of the first of Richard I. it appears the burgesses had to restore them again at that time to the sheriff. It is found in the Record as

follows: Villata de Norhantona reddit compotum de xxx. marcis quod tenuerat placita que pertinebant ad vicecomitem per brevia directa vicecomiti. In thesauro liberavit et quietus est.—Mag. Rot. Pip. 1 Ric. I.

The charter, however, of the 41st year of the reign gave rise to a remarkable trial that took place between the citizens of London and the burghesses of Northampton, which has been detailed very minutely in a Latin chronicle, containing the history of the mayors and sheriffs of London. From the ensuing extract it will be immediately seen of what great importance some of the privileges we have already mentioned were reputed at the time they were conceded, especially the provision of not being compelled to plead without the walls of their own town.

¶ Memorandum, that in this year, at the fairs of Northampton, it happened that in a conflict between the Londoners and the men of Northampton certain of the Northampton men were wounded, of whom one afterwards died, but whether he died from that wounding or from natural causes is unknown. But the bailiffs of that town, who always envy the Londoners, seized four of the Londoners, imputing that death to them, and they imprisoned them, and arrested their goods, and the goods of other of their fellow-citizens. Which being heard, the mayor and citizens, because no Londoner ought to plead without the walls of the city, except pleas

of external tenures, sought for royal letters for their delivery to the mayor, or to his messenger bringing the foresaid letters, for their standing right before the king, as they ought according to the laws of the city; but the aforesaid bailiffs were unwilling to dismiss them, neither for that writ, nor for another which the mayor again requested. But they shut them up closer and more cruelly, against the precepts of the king and the liberties of the Londoners, and so they remained there until after the Purification of the blessed Mary, (Feb. 2,) at which time the king came to London, and dwelt at the Tower. And on the morrow of his coming the mayor and citizens came to the king and requested from him a third writ for delivering the foresaid prisoners, and another writ directed to the sheriff of the county of Northampton, that if the aforesaid bailiffs should be unwilling to dismiss them, that he should enter within their liberties, and should deliver them to the bearer of the king's letters, bringing them before the king to be punished as they deserved, according to the laws of the city. Which letters being obtained, behold rumours that the aforesaid prisoners were at Charing, near Westminster, where the mayor and bailiffs of Northampton had brought them. Which

being heard, the mayor of London sent to them certain citizens, bringing the aforesaid writ, which writ being read and understood, they were still unwilling to assent that these prisoners should be liberated to the messengers of the mayor. Then, indeed, the mayor of London, with an innumerable multitude of people, approaching the king, shewed him, heavily complaining, how the bailiffs themselves, in despite of royalty, and to the great dishonour of his city of London, wished to make his third writ of no avail, who, moved by anger, sent Peter de Nevile, a certain marshal of his household, to Charing, who immediately brought the prisoners before the king, and they were delivered to the mayor. But the citizens immediately told against those of Northampton their transgression, and their contempt of the royal writ, and they replied. Upon which relation and answer the king assigned a day to give judgment on the morrow, to give and receive which judgment, to those intent on deceiving, it was postponed from day to day for more than five weeks, and afterwards the third day before the feast of the Annunciation the mayor and citizens came to the Tower, and the bailiffs of Northampton, before the king in his chamber, there being present the chief justice

Philip Basset, John Maunsel, Robert Walerand, and others of the royal council. And the men of Northampton said that they would never answer to them, but to the king alone, because they were not bound to plead beyond the walls of their borough, and then they produced the charter of the king, which was made in the 41st year of the king who now occupies the throne; and the citizens say that that charter ought not to avail them any thing, because they are not in possession of many provisions contained in it, and chiefly because the provisions apply to all the fairs of England; to which they answered, that the fairs of St. Ives, St. Botulf's, Winchester, Lynn, and Stamford, and even this, are particularized by their charter. Afterwards the record of the justices' roll was read, in which was openly and distinctly specified the enrolment concerning the answer made to the king for contempt of his writ; but regarding the complaint of the citizens and the answer of the burgesses little or nothing was written. And the citizens said that they complained against them that they had unjustly detained their free men, against the liberties of the Londoners, after the receipt of the royal writs, and even still detain their chattels; and they complained of other

injuries which they had sustained to the value of ten pounds. To which in turn they so replied that part they acknowledged and part they defended, and in this business placed themselves upon the record of the bishops and barons who were present on that day, and then sought judgment. And they sought judgment concerning the new charter of the burgesses, which ought to be of no value against the charters of the citizens which they produce, namely, those of Hen. II., Richard, John, and the charter of the reigning monarch, and that they are in possession of all the liberties contained in the aforesaid charters<sup>d</sup>.

At length, after much altercation between them, a convention and council was held before the king and his barons, and because the bishops and others who were present at that day on which the suit was pleaded were not present, that judgment was deferred to five weeks after Easter. Afterwards, when the five weeks after Easter were past, the judgment was deferred to the quinzaine of the feast of St. John (May 6?), and we hear no more of the affair<sup>e</sup>.

<sup>d</sup> DeAntiquis legibus: Cronica Maiorum et Vicecomitum Londoniarum, 1846, pp. 46—49.

<sup>e</sup> The burgesses of Northampton would however seem to have been successful in this business, as they were at



The legal question involved in this long dispute appears to be whether the royal writ or the charter was of highest authority. The case was left undecided, at least the chronicler does not take any further notice of the litigation, and this constitutional question remained for the judgment of a later age to determine.

A few things closely connected with the subject immediately before us demand a slight notice before we leave the events of the present reign: such a notice must necessarily be brief, and merely embody an allusion to the facts themselves. During this long reign some regulations were adopted respecting the fairs. In 1263 there was a large settlement of students from Oxford made in the town, so that it became a kind of university. We

a later period, (in the 21st Edw. I.,) when two of their merchants were robbed of their money on the king's highway in Gloucestershire, on which latter occasion they sued the hundred, and a writ issued to the sheriff of the county, commanding him to summon four good men of the hundred wherein the robbery was committed to appear in the court of King's Bench at a certain day, to shew cause why the

merchants should not recover their damages. At the time prefixed, the merchants and four men from the district where the robbery was committed appeared in court, and the jury found a verdict for the merchants, who recovered their money from the men of the hundred where the robbery was committed. An outline of the pleadings is given in Madox, *Firma Burgi*, 157, 158.

have already seen that in the reign of Hen. II., (1176,) little more than a century after the Conquest, Northampton had acquired some reputation as a place of learning, and the number of scholars who flocked thither on the occasion have been supposed to amount to several thousands. About the same period several students from Cambridge followed their example. The town took part with the barons in their war with the king, and in 1265 it was invested by the royal army, and subsequently taken by stratagem. Besides these transactions, the patent rolls supply us with the following particulars. Writs direct that all the Jews who during the late fight at Northampton had fled to the castle for protection should return to the town, and dwell there under that of the burgesses<sup>f</sup>. Henry fully intended to have been here during November of the present year, but was unable to come. The custody of the priory of St. Andrew was assigned to Aymo, the prior of Wenlock, because it was so damaged by the recent battle that regular discipline could be no longer maintained within its walls. There might have been two reasons for confiding this religious house to Aymo's

<sup>f</sup> See the writ addressed to twenty-four of the burgesses of Northampton, printed in

Rymer, vol. i. p. 440, from Rot. Pat. 48 Hen. III. 1264.



charge; one because it was a Cluniac foundation, like that he presided over in Shropshire, the other because he was well known to the king for having entertained him in his own monastery<sup>g</sup>.

In the 52nd year of his reign Henry confirmed to the *mayor*<sup>h</sup> and burgesses of Northampton, all the charters they had previously received, although, as it was stated in the record, they had not fully enjoyed them in consequence of the late disturbances. Two years afterwards (1270) the burgesses received a singular favour from the crown by being permitted to keep their dogs, both in the suburbs and the town, without lawing them. “Pro burgensibus Northamptonæ. Rex omnibus, &c. salutem. Cum Burgenses nostri Northamptonæ ab antiquo quieti esse consueverint de expeditatione canum suorum tam in suburbio ejusdem quam infra eandem villam, volentes eisdem Burgensibus gratiam facere specialem, concessimus eis pro nobis et hæredibus nostris quod ipsi Burgenses et eorum homines in perpetuum sint quieti de expedita-

<sup>g</sup> Henry III. was at Wenlock June 6th and Nov. 29th, 1233.

<sup>h</sup> The compellation is in these words, “Cum dilecti nobis *maior* et burgenses nostri,” &c., which shews great

looseness of expression in the manner of drawing up these documents. Tested at Windsor by the king, 6th May, 52nd year.—Rot. Pat. 52 Hen. III. m. 17.

cione canum suorum tam in suburbio predictæ villæ quam infra eandem villam. Et quod quieti sint de fine et misericordia si qua ad nos vel hæredes nostros ratione hujusmodi expeditacionis possent pertinere. In cujus &c. T. R. apud Westmonasterium. xv. die Marcii<sup>i</sup>." This very unusual exemption, which will require explanation, they seem from the terms of the grant to have been entitled to from an ancient period, but it was now established as a special mark of royal grace. In the barbarous enactments associated with the forest laws, there was one decreeing that no person should keep a dog without cutting off the three fore claws, or the ball of each foot, in default of which mutilation the owners were liable to an amerciament of three shillings. This mode of effectually preventing dogs running in the forest originated in the laws of Canute. It was a custom so fully sanctioned by Henry I., that Ordericus Vitalis assures us very few of the nobility were allowed the privilege of hunting at all during his reign. The Carta de Foresta of 25th Edw. I., (1297,) sanctioned it in all the accustomed places; when the practice fell into disuse it is difficult to say, but we know that modern refinement has

<sup>i</sup> Rot. Pat. 54 Hen. III., m. 19.

requited the acts of cruelty formerly inflicted upon the dogs, by levying a tax upon their owners.

Bearing even date with Henry's confirmation of the charters in the 52nd year of his reign, there exists amongst the archives of the borough, a royal grant of pardon to the men of Northampton, for their opposition to him during the baronial wars. They do not appear to have taken a more prominent part in resisting his attacks upon the national liberties than any other portion of the community, since his weakness and misconduct produced a general opposition to his authority throughout England, but in accordance with the usual custom of the times, they obtained on the final suppression of the outbreak, the same as other places, an act of pardon for their transgressions, and more particularly for having defended the town against the royal army.

Northampton remained in possession of the privileges hitherto mentioned without any further grants, or any diminution of what it had acquired, until the 26th year of Edw. I., (1298,) when a writ from the crown commanded the burgesses to choose two of the most discreet persons who should have full and sufficient authority to treat for themselves and the rest of the burgesses, and to

meet the king at York on the feast of Pentecost, there to consult on the business of the realm. This is the first instance of Northampton returning members to Parliament, and also the earliest instance of the towns being directed to choose representatives of their feelings in matters concerning the government of the state. It is true that conventions and councils had previously been summoned, and several to Northampton, but until the present moment the legislative assemblies of England did not assume a constitutional character. This seems to be the earliest occasion when representatives were freely and independently sent forth to give utterance to the popular voice, and Northampton was one of the seventy-six selected to return members to Parliament<sup>k</sup>.

In the following year (1299) Edward confirmed his father's charters, with the additional privilege that the burgesses should for the future elect a mayor and two bailiffs annually at the feast of St. Michael<sup>l</sup>.

<sup>k</sup> It also grants infangthef, and the power of inheriting the property of the deceased.

Charter of Edward given by his own hand, at Canterbury, 27th May, 27th year.—

Rot. Chart. 27 Edw. I. No. 16.

<sup>l</sup> It is during this and the succeeding reign that we find persons deputed to act for the community under their com-

This is amongst the very few charters that were granted during the entire reign, which although stretching over a period of thirty-five years is peculiarly deficient in municipal enactments. The attention of Edward the First was rather engaged in adjusting upon a firm basis the shattered constitution, and in concentrating his energies on improving the law. The statutes of the realm bear such ample testimony in these respects to the wisdom and extent of his exertions, that it would be impossible to convey even the faintest idea of the numerous grievances he redressed. Henry the Third had defied all the principles of liberty and justice, and his son seems to have devoted the whole scope of his comprehensive mind to making new laws and reforming abuses, especially to checking the oppressions of the sheriffs, and establishing those great Public Rights which were now daily becoming better understood and valued. Indeed it has been observed by Sir Matthew Hale, that more was done in the first thirteen years of his reign to settle and confirm the distributive

mon seal, and to present the mayor at the exchequer. The intention of which was to bind the principals faster, and to give assurance that they would

not recede from their act or engagement. See the form of presentation as given in *Madox, Firma Burgi*, p. 153.

justice of the kingdom, than in all the ages since that time put together<sup>m</sup>. Therefore to have been selected for any municipal advantages by a monarch so prudent and sagacious must have given the inhabitants fair reasons for self-gratulation, nor can their descendants, though living under altered circumstances and under a changed form of civil government, now look back upon this act of royal consideration, if they are worthy of their heritage, without reflecting similar impressions<sup>n</sup>.

But the name of Edward the First, when regarded in connexion with Northampton, is linked with associations commanding an interest far beyond its vicinity, since the sepulchral monument in the neighbourhood, consecrated by sincere affection to the memory of his queen, is a work not only seizing admiration by its just proportions and purity of design, but one to which all Englishmen who are imbued with a lofty feeling for art, may proudly refer, as an evidence, that at this remote period, their own countrymen were capable of

<sup>m</sup> Norton's Commentaries, p. 102.

<sup>n</sup> Edward the First made the town a grant of pavage in the 13th of his reign, by

which the inhabitants were entitled to certain tolls for a space of two years. Rot. Pat., 13 Edw. I., tested by the king at Westminster, 8th of May.



conceiving as well as executing the most sublime ideas of architectural beauty.

In the eleventh year of his reign Edward the Third granted a charter to the town for a fair to last for one month, namely, on the Monday next after the octaves of the Holy Trinity, and for twenty-seven days next ensuing, unless the said fair should be an injury to those already established in the district<sup>o</sup>.

Some years elapsed before any additional benefits were acquired by the burgesses, and it was not until the 8th of Richard II., (1385,) when the last recited charter and that of the 11th and 41st of Henry III. were confirmed, that any fresh advancement was made. In Richard's only charter to the town he conceded to the burgesses,

### ¶ CHARTER OF RICHARD II.

That all pleas of assize, and all other pleas whatsoever happening within the liberties of Northampton, should be held before the mayor and bailiffs of the said town in the guildhall of

◦ Tested at Westminster by the king, 18th of March. Rot. Chart. 11 Edw. III. No. 67. This fair seems to have been granted as an aid towards

their paying the fee farm, in answer to a petition presented to parliament, 8th Edw. III. Pet. Parl. 8 Edw. III. No. 54.

the same for ever: that the mayor should have the keeping of the assize of bread, wine and beer, and of the assize and assay of weights and measures; that is, that the mayor and bailiffs should have the power of trying all writs, pleas and processes, and determining the price of bread, wine and ale, and of fixing the standard weight or measure by which these articles were to be sold. A general enactment of the latter kind exists amongst the statutes of the realm, and has been supposed to have been passed as early as the 53rd year of Henry III. This sumptuary law is perhaps the earliest application of the sliding scale to regulating the price of provisions in proportion to the value of grain, and it is undoubtedly the origin of the various bye-laws that were subsequently made for the government of different trades exercised within the borough<sup>p</sup>. Besides this, there was also delegated the power of taking cognizance of forestallers and regraters, flesh and fish, within the liberty of the town.

In the year 1400 Henry IV. made a grant of Murage to the burgesses, by which they were empowered to levy tolls on various kinds of merchandise offered in the town for sale; amongst other

<sup>p</sup> Stat. of the Realm, p. 199.



articles, upon linen, canvass, cloth of Ireland, cloth of silk mixed with gold, samit, diaper, and baudekin<sup>q</sup>.

We are now arrived at a period when commerce began to arrest the attention of the legislature, and nearly all the enactments of this reign have reference to its growing importance. We have, for instance, laws relating to navigation, to the wages of labourers, to the free passage of foreign merchants, to the circulating medium, and to fraudulent collusion of debtors. And in the statute passed in the Parliament convened here in this, as well as the preceding reign, the laws of trade received such supervision as the increasing imports demanded.

In the 17th of Henry VI. (1439)<sup>r</sup> the last four charters, 11 and 41 Hen. III. (1227, 1257), 27 Edw. I. (1299), 8 Ric. II. (1385), were confirmed without any additions; but in the 23rd

<sup>q</sup> Rot. Pat. 2 Hen. IV., p. 1. m. 40.

<sup>r</sup> The charter of the 17th of Henry VI. gives to the mayor and the community (*communitati*) the proceeds of the royal property to the value of £40 a year (*in eorum relevamen in perpetuum*).

There occurs a petition on the rolls of parliament 9 Hen.

VI. (No. 23.) from the mayor and commonalty of the town relative to paving, in which the names of Berwardstrete, Seynt Gelystrete, Swynwelstrete, Kyngeswellstrete, Maristrete, Seynt Martynstrete, and la chemyn, called the Market-place, occur. See the Petition printed Rot. Parl. iv. 374.

year (1445) a grant was made by which the mayor was appointed escheator. This was placing the chief officer of the borough in a still more responsible situation than he already held, as he was now constituted receiver of the different revenues accruing to the crown by right of royal tenures, heirship, or inquisition, so far at least as these forfeitures, descents, rents and rights, fell within his municipal jurisdiction. As such duties had previously been discharged by the sheriff, we may see how the mayor, who received this appointment solely by virtue of his office, and not in the present instance at the appointment of the lord treasurer, as was customary, was gradually assimilating his own dignity to that of the chief functionary of the county<sup>s</sup>.

This charter in a few years became void, as well as the same grants of the 23rd of his reign, in consequence of several acts of legislation passed after it was granted, and a new charter<sup>t</sup>, embodying the like privilege, was received in the 30th year of the same reign.

Before we proceed to a question upon which

<sup>s</sup> Madox Excheq., 657.

at Westminster in the 28th

<sup>t</sup> As the charter expresses it, by virtue of a certain act made in our parliament began

year of our reign, and ended at Leicester.

great misconception has existed, it will be desirable at this point to review the privileges actually obtained by the burgesses up to the present time. We have seen how they have slowly advanced from the possession of simple burgage tenure, to appointing their own magistrates and administering commercial laws in their own local court: obtaining exemption from toll and lastage, freedom from arrest for debt out of their own town, acquiring the return of all writs within their liberties, and becoming emancipated from the interference of the sheriff: farming the town themselves, electing representatives to Parliament, choosing a mayor and two bailiffs, holding pleas of assize, and not being amenable out of their own jurisdiction. These and other immunities which have been mentioned were fully granted to the *burgesses*, that is, to the whole body of *inhabitants*, to those *residents* within the borough who contributed to its annual expenses. There is no mention of any select body being empowered to vary or limit these common rights: no provisions are introduced for the *creation* of burgesses, no notice whatever acknowledges the existence of a common council, court of aldermen, or a corporation. There were several charters granted to different towns during the early part of Henry

VI.'s reign, but it is not until the 18th year (1439-1440) that the word *incorporated* even occurs, when it is used for the first time in a grant to Hull<sup>u</sup>. The object of its introduction was evidently to confer additional strength on the persons already composing what was termed by the record, "the commonalty," (*communitas*), to bind them more firmly into one body, since such a state of union would the better enable them to

<sup>u</sup> Such is the opinion as expressed by that sound constitutional lawyer, Mr. Sergeant Stephens, in his *Hist. of Boroughs*, (vol. ii. p. 859,) but it must be looked at generally, since it appears in one instance, at least, that of Coventry, that this city was incorporated as early as the 18th of Edw. III. In the Treasurer's box of that city is a charter of Queen Isabella, in French, giving the inhabitants power under her own seal to elect a sub-bailiff, dated at Castle Rising, June 10, 15 Edw. III. Another charter in French is also preserved among the municipal archives, tested at Kenynghale, Oct. 12, 18th of Edw. III., conveying from Isabella power

to the men of Coventry to elect a bailiff themselves. The charter of incorporation was granted on the 20th of January following. Isabella conferred many important privileges upon this city and was the chief promoter of its liberties. Since she held the town for her life the advantages that were obtained were mainly owing to this connection. Yet we must not suppose that all her concessions to the priory and city were made disinterestedly and freely, since the former paid a rent of £107 a year for all their land held under her, and the mayor and commonalty paid £1000 for their franchises, besides £50 a year for the fee farm.

resist the encroachments of the sheriffs, and the oppressions of the county escheator. The term made no essential difference in the constitution of the borough, though the burgesses became henceforth knit together by a closer bond of alliance. Several towns preceded Northampton in this new method of supporting their individual interests, and it was not until the 38th year of the reign, (1460,) that by fiction of law, this fellowship was stated by royal grant to endure in perpetual succession, and Northampton became incorporated. There was no prescriptive right to such a privilege, and it comes before us for the first time under the dynasty of the house of Tudor, as in fact does the existence of every other secular corporate body. Such being the commencement of a corporation, we will now enquire what fresh advantages it produced. From the very nature of the foundation it necessarily took a title, and the town was incorporated by the name of the mayor, bailiffs and burgesses of Northampton, and by that style it was capacitated to sue and be sued.



## ¶ CHARTER OF INCORPORATION.

About half a century later these institutions became more strictly defined, their intrinsic properties began to declare and develope themselves, the latent powers they embodied grew expanded, and the burgesses introduced the practice of demanding fines from all strangers who came to settle within the borough, and share its privileges. Such a custom seemed fair enough in the infancy of municipal government, when the entire expenses of the town had to be met by a levy upon the inhabitants at large. It was an equitable and usual mode of placing either the new resident, or the candidate for admission into a mercantile gild, upon an equal footing with the rest of the community. Nor must it be forgotten that some kind of check was necessary to preserve the distinction betwixt merchant strangers and the inhabitants. Indeed the legal enactments on the statute books during the reign of Edward II. and his immediate successors fully enforce a usage, handed down to their days, even from the police regulations of Canute and Edward the Confessor<sup>x</sup>.

<sup>x</sup> Ancient Laws and Constitutions, pp. 393, 452.



Moreover in an age of monopolies it was the prominent object of commercial companies to preserve to themselves the exclusive profits of their own trade<sup>v</sup>; although it must be confessed these practices undoubtedly tended to restrain competition, as well as to impede the progress of industrial enterprise. At this time, too, the electoral franchise was regarded rather as a burden than a distinction, so that no grievances or complaints immediately issued from these contributions. Political corruption was quite unknown, though the subsequent loss of the municipal rights, which we have seen hitherto so fully and freely bestowed upon the inhabitants, may trace its origin in great measure to these fiscal regulations. It would be unbecoming the professed object of the present enquiry, to enlarge upon the depravity which this custom subsequently engrafted upon several constituencies. But to suppose the corporation of Northampton did not adopt the universal method of raising money by these expedients would be attributing to its officers at this early period either a liberality and disinterestedness of conduct to which they can lay no claim, or else imputing to them a neglect of that self protec-

<sup>v</sup> Norton, 137, 159.



tion which was in a measure sanctioned by the example of other places. In truth, blemishes, like those plants which overrun the fairest edifices, and whose roots silently sap their foundations, will imperceptibly creep over the face of the best systems human wisdom can frame, and abuses are of tardy growth, like the laws written by the forbearing hand of time for their correction.

Illustrations of this mode of admission to commercial and corporate freedom are abundantly supplied by the minutes of the common assembly books in the archives of the borough. For example, in the year 1550 it was settled by the corporation that every shoemaker who was disposed to set up shop within the town, and should not have been prentice within the same, should pay at his setting up 30s., that is to say 13s. 4d. to the mayor for the time being, 13s. 4d. to the chamberlain of the town, and 3s. 4d. to the occupation, or fraternity. In 1557 it was ordered that every person who shall be franchised and enjoy the liberties of the town of Northampton, shall pay for his franchise £4, and that all prentices and covenant servants who have served out their term of years shall pay 10s. according to the old custom, and likewise freemen's sons and children

born within the town shall enjoy their freedom by patrimony, paying the officers' fees according to old ancient custom. In 1564 it was ordered that all masons, curriers, fullers, carpenters, joiners, and cutlers, should be free of the liberties for 20s. if they followed no other craft, but if they did, then to pay £4. In 1624 the freedom to one bred and born in the town cost £2 down, and a pound a year until the whole amount of £10 was discharged. In 1641 the admission fee rose to £20, unless the applicant had married a freeman's widow. The terms fluctuated according to the trade of the person desirous of the privilege; thus in 1664 James Hensman paid £10 down, and gave a bond of £100 to be forfeited if he followed any other trade than that of a silk stocking weaver. In 1673 another person paid 20 marcs, binding himself by a statute bond to follow no other occupation than a pin maker. In 1680, in consideration of the usefulness of his trade, and there being no other working goldsmith in the town, an individual had the admission fee lowered from £20 to 20 marcs. And thus the practice which these minute books shew to have existed as early as 1550, went on, subject only to such capricious modifications as the common assembly choose to determine.

There is no trace of any of these mercantile and municipal impositions before the deed of incorporation : but after this period the dangerous doctrine of usages came into operation, and the broad principles so explicitly laid down in the former charters, became crushed by the power of political intrigue, and the illegal interference of the court. What melancholy testimony do all these extracts bear to the commercial ignorance of the sixteenth and seventeenth centuries ! What a sad forgetfulness and disregard do they proclaim of the lofty and indefeasible rights pervading the charters of the Plantagenets ! How much did that selfish system of monopoly and exclusion, then prevailing, injure the true interests of trade ! Yet the times when these privileges were conferred have usually been stigmatized as dark and barbarous ; dark and barbarous in many of their phases they undoubtedly were, but not as regards the advancement of Popular Liberty. For if we would wish to catch the earliest dawn of light as it breaks over the horizon of civil despotism, we must seek for it in the enlarged perceptions wrought upon society by the crusades, amid the confusion of baronial wars and civic insurrections, in the provisions wrested from John on the plains of Runnymede, in the proceedings of Henry at the Mise of

Lewes, or in the statutes planned by the collective wisdom of the Edwards. This line of monarchs both kindled and diffused the light of constitutional freedom. When the houses of York and Lancaster ruled the destinies of England, the flame languished and grew dim, and for a while it was even extinguished by the excesses and tyranny of the Stuarts. The main structure however of the British government is fixed upon ancient and secure foundations; the superstructure has been often added to, embellished, disfigured, deprived of its fair proportions, shaken by an unjust preponderance, disturbed, overthrown, but the ground-work has not been changed. If therefore we would desire to know its primitive and uncorrupt state, we must, like those diligent antiquaries who search for concealed treasure among the tombs of the dead, direct our enquiries below the surface of fleeting opinions, and dispassionately examine the simple elements of its plan.

In the same year that Northampton became incorporated, Henry VI. made his last effort to retain possession of the throne. Four months after he had given the inhabitants the questionable boon, (which the preamble sets forth as having emanated from the great and memorable services they had

lately performed towards the crown,) the king's army was defeated in the meadows near De la Prè, with great carnage among the nobility, who had espoused his unfortunate cause. The civil war was continued with sanguinary excesses until Edw. IV. (of York) obtained in 1461 the victory of Towton. In the following November, he convened a Parliament at Westminster, and among other acts then agreed upon was a charter of pardon under the broad seal to the burgesses of Northampton, for any part they might have taken in the late war.

The following year (July 10, 1462) he confirmed all the previous charters without additions<sup>a</sup>; and in 1478 granted that the mayor should no longer be sworn into office before the barons of the exchequer, but before the last mayor, the recorder for the time being, and the four coroners, or two of them at the least, in the guildhall of his own town.

We must not forget that during the whole of the period we have passed over, the fee farm was annually being paid into the exchequer. And when we consider the relative worth of money during these three centuries, so large a return must have pressed very heavily upon the burgesses. For estimating the sum they had to raise, by the price

<sup>a</sup> Rot. Pat. part 5. m 25.

of wheat, which in average years of good crops stood at 4s. a quarter, in times of scarcity at much more, but also in fair seasons at much less, we shall come to a sufficient idea of the actual rate of the impost. We shall then find that in the year 1302, which is a period about midway from the first rent charge to the reign of Richard III., when it became reduced, a hundred and twenty pounds was equivalent to seventeen times that sum, (with wheat at 70 shillings a quarter,) in the current coin of the realm at the present day. So that in reality the fee farm must be considered as little below £2040. But on the other hand, this being a fixed money payment, as in course of years the necessaries of life, and the various articles of trade became enhanced in price, so by degrees it grew less burdensome. The difference, in short, betwixt those times and ours, when the value of the circulating medium is taken into consideration, resolves itself into a simple question of arithmetical proportion; and if the preceding illustration has not made it sufficiently clear, a comparison shall be instituted as to the value of manufactured articles. We shall then see that the cost of a pair of boots for the use of King John, in the 14th year of his reign (1213), was ninepence; of a pair of shoes for the leader of Henry the Third's



greyhounds, fourpence; of the winter shoes of Wm. de Blatherwyk, foxhunter of Edward I., and those of his two assistants, seven shillings<sup>b</sup>. Com-

<sup>b</sup> A few entries from the Mise Roll of 14th of John will not inappropriately shew the cost of other articles of this monarch's dress.

Pro i pari hoesarum vaccæ (long hose of cow-hide) ad opus Domini Regis ii. s. vi. d. Pro i pari sotularium (shoes) ad opus Dni. R. vi. d. In duobus paribus cærotercarum furratis minuto vario (gloves furred with small vair or miniver) ad opus D. R. iii. s.

Die Veneris in festo St. Barthol. apud Kingeshage Will. de Pavilly, pro i sacco de cordubano ad faciendam robam Dni Regis viii. s. et pro duobus paribus ocrearum (boots) de corduban, v. s. et pro iii. paribus estivalium (summer-boots) v. s. et pro duobus paribus ocrearum de corduban v. s. Item pro duobus "*forellis* vaccinis (cases or sheaths of cow-hide) furratis" *filtro* (lined with felt) ad imponen-

dum duos capellos ferri ad opus dni R. xxvi. d. Item pro i capello ferri reparando, v. d. Item pro urinalibus et chassiis (cases or frames) ad urinalia imponenda, ii. sol. Et pro i pari *botarum singularum* (of single or thin boots) ad opus Dni R. xii. d.

The following entry shews the price of his breeches:

Pro uno *braccali*\* ad opus Dni Regis unde *tela*† venit de Garder et argn̄ (de empto) ponderabat vi. s. et aurum ad deaurandum constitit ii. s. et factura xii. d.

In ii scutis dni R. reparandis et in guigiis atachiand, et in *huciis*‡ illorum reparandis iii. s. Pro rubigine gladii Dni R. detergenda iiij. d.

In the 14th year of John's reign he fed 1000 poor at Northampton, of whom 500 had bread, meat, and ale, and 500 bread, fish, and ale, at a

\* Pair of breeches.

† Cloth.

‡ The *huches*, cases or coverings for the shields, probably of leather.



pare these charges with modern London extortions, or with the equipments of the huntsman and whippers-in of the Pytchley, or contrast the value of a horse at two pounds, (such as a knight might not be ashamed to ride upon,) with a hunter over the same fields this season, and then the altered state of monetary payments will be sufficiently understood. There cannot therefore remain any doubts that the fee farm was an impost the burgesses had great difficulty in sustaining. No wonder then that they sought a reduction, and if they obtained nothing else during the short and bloody reign of Richard III., by procuring in his charter an abatement of 50 marks from their annual rent they gained a relief which was extremely acceptable.

The town of Northampton shewed very soon that it adhered to the Protector, a part most probably taken through the influence exerted by Roger Wake and Wm. Catesby, both of whom had large estates in the neighbourhood, whilst the latter was one of the chief favourites, as well as supporters of this usurper's cause. Nothing therefore seems more

cost of £5. 14s. 7d. It was ever he had eaten meat twice  
the common practice of this on Friday.  
King to feed 100 poor, when-

natural than that such circumstances should have united in influencing Richard's mind to grant the remission.

The battle of Bosworth terminated the contests between the houses of York and Lancaster, and by fixing Hen. VII. firmly on the throne, restored the latter party to power. The enactments of his reign have been compared by Lord Bacon to those of Edw. I., but on very insufficient grounds. As a municipal legislator he is chiefly known by having confirmed the incorporations previously granted, and of being the first monarch who created a select body to restrain the universal voice of the burgesses. This line of conduct must not however be attributed entirely to his own suggestions, as in the Parliament held at Westminster in the 5th year of his reign, (1489,) the inhabitants of Leicester and Northampton petitioned, that as "by reason of the little substance of a multitude who oft in number exceeded others who were approved and decent persons, great confusion had been caused as well in elections as in assessing lawful charges brought against them," the lords and commons assembled decreed that the mayor and his brethren for the time being should choose forty-eight discreet persons who had held office, and who were liable to

change as often as was necessary, who should for the future elect the mayor and bailiffs. It will be observed that this enactment only relates to the choice of the mayor and bailiffs, and makes no kind of alteration in the character and rights of the inhabitants with regard to other privileges. They remained burgesses as they were before, and did not remotely contemplate committing so suicidal an act as to pray for their own disfranchisement. The present entry on the rolls of Parliament affords another proof how completely alike was the general tone of all contemporary charters. Those of London were usually taken as the model, and in some instances, as we have before observed, the immunities of Northampton supplied the pattern and authority for the guidance of other towns. In the 11th of his reign, (1495,) Hen. VII. granted a charter for two fairs, for regulating the administration of justice within the liberties, and sanctioning the appointment of a recorder. This was confirmed in the 16th of James I. (1618). The attorney-general filed a quo warranto, 2nd Elizabeth, by which the privileges were all ratified<sup>c</sup>. In the 1st Charles I., the burgesses set forth a claim of issues and profits within the town<sup>d</sup>.

<sup>c</sup> Michael. Term, roll 117.

<sup>d</sup> Roll. Hil. Term, 1 Charles I., roll 10.

Henry VIII. confirmed all the preceding charters the 2nd year of his reign, and in the 5th of his reign, (1514,) remitted £22 annually for ever, of the fee farm, which, with the previous reduction of 50 marcs by Richard III., brought it down to £64. 13s. 4d.; the sum however now actually paid is a trifle more. In the 25th of Edw. III., the king by letters patent granted 100 marcs of the fee farm of the town to the custos and college of the chapel of the Virgin Mary and St. George at Windsor, having previously assigned the same as good service money to Roger and Sibilla de Beauchamp until the crown had given them 100 marcs from land. From this they received 80 marcs and gave up their letters patent for the first privilege to the court of chancery<sup>e</sup>.

Elizabeth, in the 41st of her reign, made other grants and confirmations, but<sup>f</sup> after this period the corporation underwent no change worth mentioning until municipal bodies were all placed upon the system which regulates them at present. With

<sup>e</sup> Original record in the Chapel of the Rolls. Letters patent for the foundation of the Chapel were granted 22 Edw. III.

Tested by the king him-

self at Westminster, 26 Oct. —(Rot. Pat. Edw. III. p. 3. m. 15.)

<sup>f</sup> Pat. Rolls, 41 Eliz. part i. Chapel of the Rolls.

that we have here nothing to do, and the more unpleasant task arises of alluding to decay under the Stuarts, and to the miscarriages of the mayor, (1661<sup>g</sup>), to the removal of aldermen, bailiffs, and recorder, (1681, 1687<sup>h</sup>), to the illegal admittance of freemen, (1661<sup>i</sup>, 1769<sup>k</sup>), and to the sup-

<sup>g</sup> In 1661, Mr. Serjeant Charlton reported many "miscarriages" of the mayor of Northampton, and for which that officer was committed to the custody of the serjeant-at-arms, and reprimanded. One of these "miscarriages," making infants free on the morning of the election, that they might vote as he pleased, strikingly exemplifies the evils resulting from the mode generally adopted by corporations in granting freedoms.—Merewether and Stephens, i. 245.

<sup>h</sup> In the new charter was "the illegal clause, vesting the power of placing and displacing the officers in the crown." (See the exercise exemplified in the minutes of the common assembly, amongst the municipal archives.) "But the surrender not having been enrolled, the charter was by the opinion of Sir Edward Northey, the then attorney

general, considered not binding, and therefore the borough acted upon that of the 15th Charles II. until 1795, when the burgesses received another charter."—Merewether and Stephens, i. 246.

<sup>i</sup> In 1663 the committee directly negatived the exclusive right of the select body of the corporation, by resolving that the right did not belong to the mayor, aldermen, and forty-eight only, but in the same year the governing body procured a fresh charter from the crown, confirming the former privileges, and reinvesting the government of the town in themselves. In the same year this Job Charlton reported that the *inhabitants, being householders*, were the proper electors, the house agreeing with the committee in that resolution.—Id.

<sup>k</sup> Rex versus Breton. Burr. iv. 2260.

pression of the charter, (1683.) These events happened anterior to the present generation, nearly a century and a half ago; they are the recorded facts of history, and no longer subjects of political dispute; decisions have been pronounced upon some of them by the supreme courts of judicature, and the monarchs, who evinced such a total forgetfulness or disregard of the many acts of grace emanating from their ancestors—the monarchs whose duty it was to punish, rather than to promote electoral corruption<sup>1</sup>—who with hearts depraved by selfishness, and a love of licentious pleasure, thus became the unprincipled dispensers of patronage, instead of the guardians of morality and justice—whose lives were spent in treacherously forging chains to enslave their confiding subjects, and who paid such melancholy penalties for their duplicity, their weakness, or their abandonment of duty—have long been justly regarded by the concurrent voice of posterity

<sup>1</sup> The charter of the 15th of Charles II. to Northampton, was brought under the consideration of the court of King's Bench, in the twenty-first year of that monarch's reign, upon an application by a person of the name of Braithwaite, for a mandamus

to restore him to his office of alderman. In the return to the writ, the corporation set forth an amoveas, under the power granted to them by that charter, and the return was supported by the court.—*Mere-wether*, i. 246.



as the arbitrary violators of Constitutional Liberty, and the most profligate of rulers. They were indeed a generous and unostentatious race of men, who offered from their narrow resources, as she travelled hence in stately progress to Burghley, a heavy purse of gold to Queen Elizabeth, (1564,) and surely it betrays no lack of dutiful attachment to the royal person of Charles I., that their descendants resisted the illegal levy of conduct and ship-money during the commencement of the civil war, since they had so recently presented himself and Henrietta with costly pieces of plate as they passed through the town from the palace of Holdenby, (1634.)

Let us state the thing fairly. The burgesses had proved their love to the crown by this unanimous token of their feelings, but were compelled to espouse the cause of the Parliament, to maintain the existence of representative power, (or the third estate of the realm,) to protect themselves from the insincerity of misguided councils, from illegal taxation, and a despotic stretch of the kingly prerogative. We no longer offer to the sovereign, whom it is our happy privilege to obey, such mean and antiquated compliments as these, but have learned how to prove our loyalty and af-



fection by methods more congenial to her princely virtues, by the honest admiration of their brightness, and by engraving their acknowledgment on grateful hearts.

Lastly, Charles II. comes before us in the double character of a benefactor and the enemy of corporate freedom; his bounty after the fire, (1675,) and his first charter, (15th of the reign, 3rd. Aug., 1663,) entitle him to undisputed praise for trying to advance the religious and civil welfare of the town; whilst, on the other hand, his subsequent forfeiture of this, and nearly every other charter throughout the kingdom, declares that he was secretly intent upon crushing his subjects. When he again restored to Northampton (20th Sept.) the privileges he had forced it to surrender, (1683,) the borough funds were found so inadequate to meet the expense of the new favour, that the town lands were mortgaged for £170 to pay the requisite amount.

It is needless to pursue our enquiries beyond this limit, as all the subsequent charters merely embody the confirmation of preceding grants.

But, in conclusion, let us for an instant divert our thoughts from the history of the past, and bring them forward to the present aspect of the

town. We shall then distinctly perceive that although those early records to which our attention has been turned, are now little more than the almost illegible evidences of a forgotten age, yet that their spirit is still surviving, pervading and animating at this day the whole of our civic institutions. And we shall be led to acknowledge that all the municipal rights, privileges and improvements which have been gained in later years have in reality sprung out of the concessions granted to the people by those charters. With equal distinctness we shall also perceive, how slowly the advantages, and how slowly the abuses in the system have proceeded together; how they have arisen out of customs originally free from reprehension, out of regulations which most societies even still look upon as pledges of unity and fraternal concord, nay, as advantages inseparable from their vitality. The very recommendations subsequently degenerated into evils, evils growing to such a magnitude that the legislature interfered to correct them; surely this should incline us to do, though tardy, yet not unwillingly justice to those who adhered to a line of policy incompatible with modern opinions. We stand now as it were in judgment upon the deeds of our forefathers, and deem ourselves wise in

our own generation, but the period will also arrive when the actions of the present day will be subjected to the equally impartial review of futurity, when the line of conduct we adopt, and the sense we entertain of individual responsibility, will become in turn a portion of history, and deserve either the unmixed censure, or the grateful admiration of our descendants. It will be no insignificant feature of the present century, if our wisdom shall hereafter cause it to be appealed to as that happy era, when the blessings of peace were not restricted to nations collectively, but were understood by the little communities composing them ; if the angry struggles for predominance, and the petty jealousies of party conflict, which so painfully disturb the social progress, were laid at rest and forgotten : and instead of witnessing the profitless recitals of intestine faction and civil discord, the energies of men were seen to be devoted to the intellectual improvement, and moral enlightenment of their fellow citizens.

And who does not see in the charters to which our attention has been turned the mutability of human, the permanence of DIVINE GOVERNMENT. Or who does not see as he walks through the town itself, replete as it is with so many associations of its ancient importance, that the scene has been

changed, and scarcely a fragment remains to indicate its original features. The venerable sanctuaries of religion have alone been spared from the common ruin, and they stand like faithful beacons to direct our thoughts from the evanescence of all worldly objects, to that great Being who changes all things and remains Himself unchanged. Who is not reminded as he observes the different schools raised for educating the humbler classes, or as he beholds those noble structures devoted to healing the sick and the infirm of their maladies, that new duties claim our regard—that new opportunities have sprung up for shewing the feeling with which we entertain the bounty of God, and that increasing means should only serve to stimulate mankind to fresh gratitude and more extended charity.





HIS is not an unsuitable place to introduce before the reader some extracts from the Chamberlain's Book of Minutes. They are contained in two thick folio volumes of paper, written in several hands, and relate to all the business usually occupying the attention of the town assembly. They are taken in chronological order, as it would be difficult to attempt any kind of classification of matter in itself so miscellaneous.

#### EXTRACTS FROM THE CHAMBERLAIN'S BOOKS.

At an assembly holden at the Guildhall in 1552, it was agreed that every man that from thenceforth should have any swan or swans swimming on the town several water, should pay yearly 3s. 4*d*. to the chamberlain for the same, to the use of the town.

Item, that no franchised man should wear any other man's or woman's livery.

Item, that all the records shall be put in the vestry of our lady chapel, in a presse to be locked with three locks, and to be in several men's keep-

ing ; that is to say, in the mayor's for one, in the keeping of one of the 24 for another, and the third in the keeping of one of the 48 yearly.

Item, that whosoever shall have from henceforth any hog or hogs going at large in any part of the town or liberties, an hour or more before the hoggard goeth forth, or cometh home, shall pay for every hog one penny to the pinner as often as they offend.

Item, that no man shall keep more for his franchise than two beast upon the commons in all, and that they be his own, or that they be hired for money without any craft or collusion upon pain of forty pence for every time, to the use of the chamber; and that any party suspect in this behalf, shall be sworn before the mayor for the proof of such beast, and that the chamberlain may brand every man's rother beast, but no horse or gelding.

Item, Mark Buckby redeemed the Bailiwick for ten pounds, and it was granted.

There are other entries to the like effect.

Item, at this assembly was assessment of all franchised men for to sue unto Queen Mary for our liberties, and to answer a *quo warranto* that was brought against the liberties, which assessment amounted above £36. This *quo warranto* was begun



in the time of Harry Wall, mayor, and begun again before this assembly and continued still.

At a common assembly holden at the Guildhall, on the 30th Jan., in the 4th year of Edw. VI.

That every cordwainer that now dwelleth or hereafter shall dwell within this town, being a master, and doeth occupy as master in the same craft, shall pay yearly to the chamber of the same town, 2s. of lawful money of England.

Item, that every journeyman that now worketh or hereafter shall work within this town, shall pay yearly unto the said chamber 1*d.*, and although they work but one week within this town, they shall pay 1*d.*; and the master with whom the said journeyman or journeymen shall happen to work, shall stay it in their hands off their wage, and answer the same to the wardens of their corporation.

Item, that every shoemaker that is disposed to set up shop within this town and shall not been prentice within the same, shall pay at his setting up 30*s.*; that is to say, 13*s.* 4*d.* to the mayor for the time being, 13*s.* 4*d.* to the chamberlain of the town, and 3*s.* 4*d.* to the occupation.

Item, that every shoemaker that hath been or shall be prentize within this town that is disposed



to set up shop and to occupy as master, shall pay 16*s.* 8*d.*; that is to say, 10*s.* to the mayor for the time being for his franchise and setting up, 3*s.* 4*d.* to the chamberlain, 3*s.* 4*d.* to the occupation.

Item, that every shoemaker that is disposed to set up shop being born within this town, shall pay for his franchise or setting up to the mayor for the time being 20*d.*, and to the occupation 20*d.*

Item, if any shoemaker within this town that is man and doth occupy as man, that doth set another man's servant a work, being of the same occupation, that hath wrought a fortnight with any one of them, except he be lawfully parted from his said master and with his good will, that if any do offend in the same, to pay 6*s.* 8*d.* for every time, half to the mayor and half to the occupation.

Item, further, if any journeyman of the same occupation be detected of any untruth, and thereof due proof made, that then the warden of the same occupation for the time being, shall give warning unto them with whom the said offender doth work that they shall immediately put him forth of his work, and that he be not set to work by any man of the same occupation within this town, upon pain of every time so offending, to pay 6*s.* 8*d.*; that is to

say, 3*s.* 4*d.* to the mayor for the time being, and 3*s.* 4*d.* to the occupation.

Item, that no shoemaker within this town at any time set forth stall in the market-place or before his shop to shew and selling shoes or boots, upon pain for 3*s.* 4*d.* to the mayor and 3*s.* 4*d.* to the occupation. And that no shoemaker being not a franchised man take upon them to shew or sell any boots or shoes within the liberties of this town, upon pain to forfeit the same half to the mayor and half to the occupation.

Item, that all the shoemakers within this town that doth set up and occupy as masters shall assemble themselves together by the consent of the mayor for the time being yearly upon the 25th day of October, and there chuse two discreet men of their occupation, to view and search all manner of Hides being barked and sold within any place of this town, for the entent to know whether they be lawfully wrought or no; and that no man put any on sale before they be searched and sealed upon pain of forfeiture of all sorry hides so put to sale, half to the mayor and half to the occupation: and these being assembled shall yerely choose two discreet men of their occupation to be wardens, to see good rule and order kept in their occupation for the year fol-

lowing, and that the old wardens and surveyors shall present the wardens and surveyors the next court day after the election before the mayor for the time being in the Guildhall, and there to take their oath, upon pain to pay as well the new surveyors and wardens as the old that do make default, 6*s.* 8*d.*

Also that the wardens shall collect all fines and amercements, and yield a true account under like penalties; and also if any journeyman or master contend with the wardens, he pay 6*s.* 8*d.*

An inventory made the nineteenth day of January 1559, in the time of Wm. Taylor, mayor, of all the town Vessell delyvered to Wm. Harpoll, chamberlayn, by the hands of John Adams, as folows:

First, iij dosen of platters and ii dosen pewter disshys brode brynkyd.

Item, vij pewter disschys narroo brinkes.

Item, xiii sausers.

Item, iii dosen of ley mettyll.

Item, vii spyttis with vij handylls.

Item, ij payre of

Item, iii longe hyngis of yron.

Item, ii payre of gynnys, a old condyt cok, and iii keys.

¶ ORDER FOR THE BAKERS, TEMPORE GEORGII COLDWELL, MAIORIS, ANNO PRIMO MARIE REGNI. (1553.)

For as much as the number of bakers be increased in the town of Northampton, and that they do take upon them to serve as well the country as the town with all kind of bread, by reason whereof they for the serving of their customers in the country do lie sore upon the market in this town, and do buy every market day a great number of grain to their own great lucre and advantage, and to the raising of the price of grain and to the great spoil of several and inhancing of the price thereof, which is against the common wealth, and of seven years past newly invented by the said bakers ; for reformation whereof it is agreed by the mayor and his brethren that so long as wheat shall be above vi.s. and viij.℥. a quarter and under xii.s. a quarter, that no manner of baker of this town shall convey out of the town by craft or collusion above the weight of two horse load, upon pain of forfeiting x.s. at every time that any of them shall so offend, to the use of the chamber of the town. And when that the quarter of wheat shall be at xii.s. and above xii.s., then no baker shall convey

out of the town above one horse load nor mare load and nor no man's load, nor by any other craft or collusion, upon pain to forfeit to the chamber x.s. for every time so offending. And if the mayor for the time being do not endeavour himself to levy the same without favor, then he shall forfeit and pay for his negligence to the chamber of the town x.s. for every time that he shall omit the same after due privity thereof had and known.

It was subsequently ordered that two persons should pay the fine for transgressing this regulation, and that no baker carry bread out of the town till the town be first served.

Item, that no franchised man shall wear any other man's or woman's badge or livery, upon pain of losing of his franchise, except it be the kyng and queen's livery and badge.

Item, that every person that shall be franchised and enjoy the liberties of the town of Northampton, shall pay for his franchise iiii℥. And that all prentices and covenant servants that have served out their term of years, shall pay xs. according to the old custom, and likewise freemen's sons and children born within the town shall enjoy their freedom by patrimony, paying the officers' fees according to old ancient custom.

Item, if any prentice or covenant servant do agree with his master or mistress for the term of his years before they be expired, he shall pay to the chamber *iiii*ℓ. for his freedom as though he had not been prentise.

1564.—In the sixth year of Queen Elizabeth it was ordered that a purse of a hundred marks sterling be presented unto her in consequence of her coming to the town.

That all masons, curriars, fullers, carpenters, joiners, cutlars, shall be made free of the liberties for *xx*.s. if they occupy no other craft, but if they do, then to pay 4ℓ.

1574.—Ordered that no man shall buy any tallow of any butcher either of the town or country, but that he shall make and convert the same tallow into candles himself, upon pain of every default *xx*.s. *shoemakers only excepted*, the use of one half to go to the presenter and the other half to the chamber of Northampton.

1575.—Ordered that the chandlers shall sell their candles at 3*d*. a pound and the butchers their tallow at 2*s*. 2*d*. the stone.

1624.—The freedom to one bred and born in the town was now 2ℓ. paid down, a pound a year



afterwards, the freeman giving security until the whole sum of 10*l*. was discharged.

At an assembly held in 1634, it was agreed that whereas the king's most excellent majesty that now is, with his gracious queen, do intend to make this corporation in their course or way from Holdenby, it is agreed upon and ordered that there shall be forthwith provided and bought at the chamber charge two fair pieces of plate of the value of three-score pounds, and one of the same to be presented to the king's majesty and the other to the queen's grace, at their coming in procession through this corporation, and all the charge of officers and fees and other cost for the meeting and attending the king and queen through the liberties, shall be defrayed out of the town chamber.

Ordered the same year that certain officers see that butchers bring nothing but wholesome flesh, and that fishmongers bring nothing but wholesome fish. Repeated 1636.

1635.—Ordered that Lord Holland chief justice in Eyre of the Forests on this side Trent, being to sit here shortly about the forests, there shall be bought at the chamber charge one gilt cup to the value of 15*l*. or 16*l*. and presented to him from the corporation.



1636.—Ordered that the sheriff be sued for serving process and executions within the liberties.

1636.—Item, that there is a new writ come to the corporation for the levying of moneys towards the preparing of a ship for the defence of the sea and kingdom. Now in regard 200*l.* imposed on the town in the last year is a heavy burden that the inhabitants thereof are not able to bear, it is ordered and prayed that the mayor of this town in case he cannot obtain an abatement of 200*l.* imposed upon the town in this behalf again, shall not subscribe or set his hands to an allowance of the rate of 200*l.* to be raised again in this liberty.

1637.—Item, whereas there are 500*l.* part of the 1000*l.* given by Mr. Ralph Freeman deceased, late Ld. Mayor of London, to set the poor on work, it is agreed and ordered that the same 500*l.* shall be employed some part in spinning for clothes, some part in *bond lace making*, and some part in knitting, and the same to be put into good sufficient undertakers' hands.

1638.—In this year the bailiffs were behind hand in the payment of the fee farm rent, upon which it was ordered that counsel should be taken thereupon, in consequence of which security was to be given for the future. But as they had had much

hindrance in raising the fee farm rent by reason of the visitation of the plague, at which time both fairs and markets were taken away, that they pay 50*l.* into the chamber and be discharged from the rest.

1639.—In answer to a letter from the deputy lieutenant of the county to the corporation for raising 14*l.* 6*s.* 8*d.* for conducting and furnishing soldiers into the North, the assembly refuse to yield to grant an assessment, but at length being much importuned it was ordered to be paid out of the chamber stock.

1640.—A second letter from the deputy lieutenant of this county requiring 3*l.* 10*s.* conduct money to be raised, the corporation now as before refuse to make any taxation for it, and the mayor ordered to return for answer that the corporation will not yield to any such assessment, and that he shall be indemnified for returning such answer. John Danby, mayor.

1640.—Ordered that every member of the corporation and all others of ability in the town, shall be forthwith provided with halbeardes, bills, or clubs, to be ready upon any occasions for use these dangerous times. Item, that the town gates shall be properly repaired.

1640.—The mayor being sent for to London by a messenger for not paying the conduct money imposed on the corporation by the deputy lieutenant, earnestly importunes the assembly to yield to an assessment, for raising it: the voices being taken, it was declared against it, and that they would not yield to any assessment. Subsequently, (Sept. 4,) 1640, the deputy lieutenant ordered that the train bands should be sent out of the liberties of the county, but upon a poll being taken this was not obeyed.

These acts of the deputy lieutenant afterwards formed a complaint to parliament.

1641.—Ordered that no person unless he had married a freeman's widow, should be admitted to his freedom under 20%.

The town gates ordered to be repaired, and twenty men put to watch nightly through each of the four wards.

1641, January 10.—Ordered that all who have muskets should provide themselves with powder and bullets—that the stones of St. Catherine's decayed chapel shall be taken down and used for the present repair of the breaches of the town walls—that there be provided at the cost of the chamber chains and great posts to them to chain up the bridges, and ten pounds laid out in pikes.

1642.—Ordered that there should be an assessment of 100℥. laid out in fortifying the town—that eight persons out of the bailiffs and forty-eight then serve by night in turns to oversee the guards and watch—that every householder should send an able bodied man every day at one in the afternoon to be employed on the works for the defence of the town.

1643.—Orders for fortifying the town, and providing men equipped and suitable to ride out as skouts.

Ordered that the fee farm rent of the town and other monies be laid out in corn and coals to be put by for the use of the town in case it should be besieged, which is much feared; (Aug. 1.)

Another 100℥. ordered to be laid out in defence of the town.

Another order for watching and guarding; (November 8.)

1644, July 12.—Ordered that as thirty-six horses with bridles and saddles were ordered to be furnished by the corporation and delivered to Sir William Waller, knight, to be employed in the service of the wars for the king and the parliament, the charge of which amounts to at least 100℥., the sum shall be raised amongst the inhabitants.

1654.—It was ordered that the shoemakers shall have a constitution among themselves as other tradesmen have, and as heretofore they formerly have had.

1662, September 19.—The names given of all the corporate officers and burgesses who took the oath of allegiance and supremacy, and subscribed the declaration against the solemn league and covenant, appointed by act of parliament for regulating corporations.

In the same year there is payment ordered to the town waytes.

1663.—Ordered that the chamberlain take speedy care for the building of the lazerman's house at the charge of the town, the same house being driven down by the wind.

1663.—Ordered that the order of 29th of Feb. 1659, be confirmed, and that for the future the Aldermen, Bailiffs, and eight and forty, shall attend the assemblies from time to time upon summons, and shall come in their Gownes and decent Apparell and upon failing hereof the Aldermen shall forfeit 2s. 6d. a piece, the Bailiffs 2s., and the 48, twelve pence a piece.

Ordered that those persons that have entered into bond for procuring money to defray and pay

the charge of the New Charter which amounts to 170*l.* or thereabouts, as appears by the bill this day read unto this house, have the security of this corporation to bear them out therein.

1664.—Ordered that James Hensman be admitted a freeman of this corporation, he paying down ten pounds at his admittance, and giving a bond of a 100*l.* to be forfeit if he follow any other trade in this town but a silk stocking weaver.

1673. Ordered that another person pay 20 marks for his freedom, giving also a statute bond for 100*l.* on forfeit if they follow any other trade than a pin maker.

1675.—Order that persons wait upon the commissioners for new modelling of the town, and to assist them as to the conveniency of rebuilding and setting of the streets.

1678.—Ordered that the Mayor and Bailiff's elect, and to be elected, shall observe the ancient customs of this place to treat with wine and cakes as formerly.

1680.—Whereas Edward Bayley, Goldsmith, by a former order of this house was to pay 20*l.* for his freedom, now upon further consideration of the matter and the usefulness of his trade in this town, there being no other person of this town that is a



working goldsmith, it is ordered that he be admitted, paying 20 marks down at his admission.

1681.—Lord Montague chosen Recorder, and subsequently objected to by Charles II., who exercised his power under the Charter—the Earl of Peterboro' afterwards chosen in his stead and approved by the Crown.

1683.—Ordered that the Charter be surrendered and delivered into the hands of his Majesty, and that money be raised for defraying the expence of a new Charter, either by mortgage or sale of some town lands.

1687.—Whereas by the Charter lately granted to the town of Northampton a power is reserved to his Majesty by his order in Council to remove from their employment any officers in the said town, he therefore dismisses the Mayor, some of the Aldermen, the town Attorney, the Bailiffs, and several Burgesses,—signed Wm. Bridgeman.

An order by which several new officers are put in their places. Signed, Sunderland.

Other persons removed, and others put in their places in March following; the same acts repeated in May and September.





EW towns have preserved so many of their original charters as Northampton, as may be seen from the following catalogue of those still remaining in the possession of the Corporation.

1189. Nov. 18. 1 Ric. I.—Grant to the burgesses of Northampton of several privileges and immunities, particularly that they should be free from toll and lastage throughout all England and the sea ports, reserving the yearly rent of £120 payable for the same to the crown. (Printed in English, in *Toll Cause*, p. 11.) Seal gone.

Charter of King John, this is not in the possession of the corporation. (Printed *Chart. Rolls* and *Toll Cause*, p. 202.)

1227. Mar. 16. 11 Hen. III.—Grant whereby several privileges are made to the burgesses, particularly that they shall be free from toll and lastage, reserving the yearly rent of £120. Seal gone.

1255. Apr. 7. 39 Hen. III.—Grant to the burgesses of Northampton of freedom of arrest from debt under a penalty of £10. Seal gone.

1257. Jan. 18. 41 Hen. III.—Grant whereby among other privileges to the burgesses, the return of all writs within the liberties of the town, the sheriff of the county and his officers being prohibited from doing any act appertaining to their office within the liberties. Seal partially remaining.

1268. May 6. 52 Hen. III.—Confirmation to the mayor and burgesses of their former privileges, which had not been so fully enjoyed in consequence of the war. (Printed in English, Toll Cause, p. 12.) Part of seal remaining.

1268. May 6. 52 Hen. III.—Charter of pardon to the men of Northampton.

1299. May 27. 27 Edw. I.—Charter whereby two of the 11th and 43rd of Henry III. are confirmed and fresh privileges granted, namely, that the burgesses of Northampton for the future shall elect a mayor and two bailiffs annually at the feast of St. Michael. Seal in green wax, nearly perfect.

1385. June 14. 8 Ric. II.—Charter whereby the two charters of the 11th and 41st of Hen. III. and 27th of Edw. I. are confirmed, and fresh privileges granted, namely, that all pleas of assize and other pleas whatsoever happening within the liberties of Northampton, may be held before the mayor and bailiffs of the said town, in the guildhall

of the said town for ever, and that the mayor of the said town shall have the keeping of the assize of bread, wine and beer, and of the assize and assay of weights and measures, and has power to enquire and take cognisance of forestallers and regraters, flesh and fish, within the liberty of the town. Seal in green wax.

1431. Mar. 18. 9 Hen. VI.—Exemplification of an act of parliament for paving and repairing certain streets and high ways in Northampton. In French. In this exemplification, Bereward, Kingswell, St. Giles', St. Mary's Streets, and the Market Place, are mentioned, and Swinewell and St. Martin's Streets, both now gone. Seal gone.

1439. May 20. 17 Hen. VI.—Charter whereby two charters of the 11th (1227) and 41st (1257) of Hen. III., the 27th (1299) of Edw. I., and the 8th of Ric. II., (1385,) are confirmed. Seal partly gone.

1445.—Grant of 23 Hen. VI., whereby it is granted that the mayor of Northampton for the time being shall be for ever hereafter escheator. Seal green wax, broken.

1452. Mar. 12. 30 Hen. VI.—Charter whereby the mayor of Northampton is appointed escheator de novo, for that a former grant made to the same

effect the 11th of June, 23 Hen. VI., is become void by reason of two several acts of parliament within mentioned to be passed since the making thereof. Seal partly gone.

1460. Mar. 14. 38 Hen. VI.—Charter whereby the town of Northampton is incorporated by the name of mayor, bailiffs, and burgesses of that town, and by that name are capacitated to sue and be sued. Provision also made in case of the mayor's death, how to proceed to a fresh election, and it is granted that no burgess for the future shall be obliged to collect any tax out of the liberties of the town. (Printed in Toll Cause, p. 23.) Seal gone.

1462. 20 Feb. 1 Edw. IV.—Charter of pardon under the broad seal for all treasons, murders, rapes, rebellions, insurrections, conspiracies, trespasses, and offences whatsoever committed by the men or burgesses of Northampton before the 4th of November last past, certain persons being excepted by name. Seal of white wax, partially gone.

1478. May 2. 18 Edw. IV.—Charter wherein is recited the one of 27 Edw. I., and by which it is granted among other things that the mayor of Northampton shall for ever hereafter be sworn into his office within the octave of St. Michael, in the Guildhall of the said town, before the last mayor

and the recorder for the time being, and the four coroners of the said town, or two of them, and not before the barons of the exchequer as formerly, and also that the escheator of the said town shall likewise take the oath of office at the time aforementioned within the said town and not elsewhere. Seal gone. It also remits £20 out of the one hundred and eighty marks of the fee farm, for 20 years.

1484. Mar. 30. 1 Ric. III.—Grant whereby Richard III. remits to the corporation of Northampton and their successors for ever, fifty marks, part of their annual fee farm rent of £120.

1495. Dec. 22. 11 Hen. VII.—Charter for choosing yearly for ever at the feast of St. Michael, the recorder of Northampton, and two burgesses, who with the mayor for the time being are appointed justices of the peace of the said town for ever, and they three, or two of them, of which the recorder is always to be one, have power to enquire into, hear, and determine all felonies, trespasses, &c., committed within the liberties. Herein also is a grant to the corporation and their successors for ever of all fines, issues, &c., forfeited before the said justices: and also a grant of two fairs yearly for ever, namely, on the feast of St. George the martyr, and St. Hugh the bishop, and on the day

next before, and for six days next after each of the said feasts. (Printed in English, Toll Cause, p. 17.)

Seal perfect.

1514. Mar. 19. 5 Hen. VIII.—Grant by which Hen. VIII. remits to the corporation of Northampton and their successors for ever, twenty-two pounds, part of their annual fee farm rent of £120. (Printed in Toll Cause, p. 20.)

Inspeximus of 27th of October, the 1st year of Edw. VI. Seal gone.

#### CHARTERS ON PAPER.

1189. 1 Ric. I.—Latin and English.

1199. 1 John.—Latin and English. (See Rot. Chart. p. 45.)

1227. 11 Hen. III.—Latin and English.

1255. 39 Hen. III.—Latin and English.

1257. 41 Hen. III.—English.

1268. 52 Hen. III.—English.

1385. Ric. II.—English.

1444. 23 Hen. VI.—English.

1439. 17 Hen. VI.—English.

1484. 1 Ric. III.—English.



## MISCELLANEOUS RECORDS.

Copy of a grant of Hen. II. of privileges to the burgesses of Northampton, reserving the yearly rent of £120., particularly that they shall be free from toll and lastage throughout all England and the sea ports.

1225. Dec. 24. 9 Hen. III.—Writ to the sheriff of the county of Northampton, declaring grant to the burgesses of certain customs for three years, in aid of enclosing the town. (Office copy.) Printed in Toll Cause, p. 203.

1251. 36 Hen. III.—Not in possession of corporation<sup>a</sup>. Printed in Toll Cause, p. 204.

<sup>a</sup> Henry III. addressed a writ to the mayor, bailiffs, and other good men of Northampton, (Feb. 1, 1261,) desiring them to afford the scholars proposing to sojourn there every protection and accommodation. And at the same time assured the masters and scholars how favourably he felt affected towards them.—Rymer, i. 403. Rot. Pat. 45 Hen. III.

In the 16th Ric. II., Nicholas Auncell, a royal messen-

ger, was paid 10s. for bringing a writ of great seal directed to the honest men of Northampton, to elect from amongst themselves, and appoint a mayor in the said town, because the former mayor there had been expelled and put out of his office by judgment given against him in Chancery. The mayor was afterwards confined for the same reasons in Nottingham castle.—Issue Rolls, p. 251.



1273, 4. 2 Edw. I.—Commission to take Hundred Rolls. (Office copy.) Printed in Toll Cause, p. 13.

1274, 5. 3 Edw. I.—Hundred rolls. (Office copy.)

1275, 6. 4 Edw. I.—Hundred Rolls. (Office copy.)

1275, 6. 4 Edw. I.—Grant to the mayor, bailiffs, and good men of the town of Northampton, of certain customs in aid of enclosing their town, to be taken for five years. (Office copy.)

1284, 1285. 13 Edw. I.—Grant of pavage. (Office copy.) Printed in Toll Cause, p. 204.

1295, 6. 24 Edw. I.—Grant to London. (Office copy.)

1301. 29 Edw. I.—Grant of murage. Printed in Toll Cause, p. 205. (Not amongst archives?)

1301, 2. 30 Edw. I.—Grant to London. (Office copy.)

1329. 3 Edw. III.—Extract from Coroner's Roll. (Office copy.) An extract printed in Toll Cause, p. 207.

1335. 9 Edw. III.—Grant of pontage. (Office copy.) Printed in Toll Cause, p. 206.

1336. 10 Edw. III.—Confirmation to the priory of St. Andrew's, Northampton. (Office copy.)

1376. 50 Edw. III.—Petition from the burgesses amongst others of Northampton touching their fee farm rent. (Office copy.)

1400. 2 Hen. IV.—Grant to the burgesses of certain customs in aid of enclosing the town, to continue for two years. (Office copy.) Oct. 3. Printed in Toll Cause, p. 206.

1431. 9 Hen. VI.—Exemplification of a petition to Parliament, with the answer to it, concerning the paving of the streets of Northampton. (Office copy.)

1459. Mar. 14. 38 Hen. VI.—Charter. English.

1489. 4 Hen. VII.—Exemplification of act of Parliament, from rolls of Parliament. (Office copy.)

1514. Mar. 19. 5 Hen. VIII.—Charter. English.

1585. 27 Eliz.—Exemplification of the privileges of the hamlets within the manor of Bromsgrove. June 19.

1599. 41 Eliz.—Quo warranto allowed to mayor, bailiffs, &c. (Office copy.) Printed in Toll Cause, p. 22.

1599. Apr. 31. 41 Eliz.—Grant to the mayor, bailiffs, &c. (Translation.)

1618. Apr. 20. 16 James I.—Grant to the mayor, bailiffs, and burgesses. Lat. and Eng.

1554, 1555.—Inspeximus of Philip and Mary.  
Inspeximus of Edw. VI., of James and George II.  
James II.—Perpetuity to mayor of Northampton.  
1702.—Charter of Queen Anne.

Charter of George III.—Printed in Toll Cause.  
Claims and petitions relative to the fire. Fol.  
paper. Sep. 20, 1675.

Chamberlains' accounts. 1704, 1708, 1691,  
1701, 1688, 1693, 1707, 1692, 1703, 1705, 1698.  
Bailiffs' accounts of Hallaughton. 37 Hen. VIII.  
Extracts from Pipe Rolls. Office copies.  
Deeds relating to St. Leonard's Hospital.



## THE CASTLE AND PARLIAMENTS.



WHEN the Conqueror's survey was made the possessions in the town of Northampton lay divided betwixt the crown, some of the abbatial ecclesiastics, and other persons of rank and consequence<sup>b</sup>.

<sup>b</sup> "Northamptonshire, says the Record, renders the farm of three nights, thirty pounds by weight: for dogs forty-two pounds, blanc, at twenty in the ora. For a gift for the queen, and for hay, ten pounds and five oras. For a hawk, ten pounds. For a sumpter horse, twenty shillings. For alms, twenty shillings. For a huntsman's horse, twenty shillings. From the manor of Queen Edith, forty pounds. From Clive (Cliff) ten pounds. The burgesses of *Hantone* (Northampton) render to the sheriff thirty pounds ten shillings a year. This belongs to the farm thereof. The countess Judith has seven pounds out of the issues of the said

borough."

In the preceding extract there are some things deserving explanation, and all the entries are curiously illustrative of the customs of the age. I will examine them here without reference to any bearing they may have upon the municipal or other institutions of a more general character that were then established. Their significance in these respects has already undergone examination.

At so early a period as the one our attention is now directed to, every single entry is of an important nature. Valuable for the statistical information it gives us, as shewing the relative worth of property

Amongst the names of these various proprietors, that of Countess Judith, a daughter of Odo earl of

or the amount of actual wealth then in the country; as shewing who were its possessors, and in what proportion they divided the soil and its produce betwixt them. These entries, according to their nature, equally display the temper in which justice was administered, personal pleasures indulged, or the charities of the affluent dispensed. And illustrative of this, we may see how the county of Northampton contributed to these various results.

The farm of three nights is a custom generally as ancient as the time of the Confessor, (1042—1066,) and in one instance it is mentioned in Domesday to have existed as far back as the reign of Ethelred his father, (979—1016.) It was a service either rendered by actual hospitality, or by furnishing the king with honey, corn, and malt, as in his manors in Cambridgeshire, where his tenants thus paid the amercement; or it was commuted by payment of thirteen pounds eight shillings and fourpence in lieu of the

entertainment; but in Oxfordshire the same reception was considered equivalent to the sum of one hundred and fifty pounds.—(Domesday, v. i. p. 154.) When the imposition was satisfied in kind, it would of course be more onerous in proportion to the number of retainers the monarch brought with him.

The entries respecting horses, dogs, and hunting, fall among the inferior, though not less remarkable notices occurring in this invaluable record; notices so frequent, that they serve to shew how completely the sports of the chace were united with the feelings of the reigning monarchs. Thus whilst we see forty-two pounds assigned for the support of dogs, a sum four times the whole rental arising from the town, twenty shillings were deemed sufficient, even at a period memorable for the profuseness of its benevolence, to be expended in almsgiving or works of charity. In the reign of the Confessor we read of three thousand cakes of dogs' bread,

Albemarle, by Adeliza, half sister of William I., is not the least remarkable, whether regarded in reference to her dignity and her affinity to the new sovereign, or in connexion with one of his bravest supporters. She had been given in marriage to the Earl Waltheof, a warrior whose prowess greatly assisted her uncle in the arduous subjugation of Yorkshire, and probably out of consideration for this valuable service, as much as with a view of conciliating a noble whose hereditary influence might have been dangerous to his ambitious projects, he loaded him with fresh accessions of territory in various parts of England.

The history of secular dignities at this early time is involved in great obscurity, and it would be foreign to the present enquiry to attempt to elucidate a question so pregnant with difficulty. Waltheof's father was the Saxon earl Siward, unquestionably a name of dignity, both before and after the Norman invasion, and Waltheof himself has

and of many peculiar services rendered in kind, but which in the time of the Conqueror became changed for payments in money.

It must always be borne in mind, that Domesday Book is

rather a rent roll of the kingdom than a collection of national laws, and it is only inferentially that we shall be able to extract any constitutional information from it.



been called earl of Northumberland, Northampton, and Huntingdon, but of this no sufficient proof has ever been adduced. Besides this reputed rank, he however inherited large estates; several of the tenants held their lands from him during the time of Edward the Confessor, and the dowry of the countess considerably augmented them. It may be readily imagined that the Conqueror would find himself little at ease in his new kingdom; the people had scarcely had time to become reconciled to their slavery, and a sudden endeavour to liberate themselves from its yoke could hardly have been unsuspected. In this age of darkness and inhumanity, an age when the broad distinction betwixt might and justice was universally confused, the slightest cause, whether real or apparent, was sufficient to awaken suspicion, and call forth the exercise of tyranny. From some cause, we know not what, history has not however exempted the character of his wife from the perfidy of betraying him; the earl suddenly fell under the displeasure of his royal kinsman, who, after suffering Waltheof to languish by a long confinement in prison, ordered him to be beheaded at Winchester. The Conqueror now desired to bestow the Countess Judith's hand on Simon de St. Liz, a Norman in

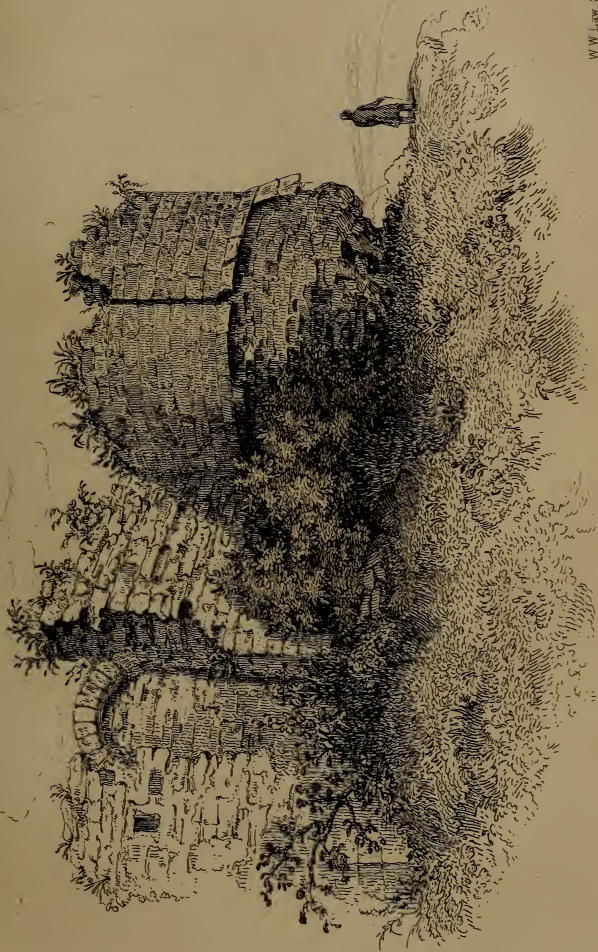


his confidence, who had come to seek his fortunes in England, but whose bodily deformity caused her to reject him. Indignant at such an unexpected resistance to his wishes, the king seized her possessions, amongst them sixteen houses in Northampton, and part of the revenue of the town, and transferred them, with her eldest daughter Matilda, into the hands of his favourite. It is to this inheritor of Waltheof's united rank and estates that the erection of Northampton castle has been assigned, nor does there seem to exist any strong reason for discrediting the generally-received opinion<sup>c</sup>.

After so great a lapse of time, and considering the distraction and civil war that prevailed within a century after the castle is reported to have been built, such structures being the first to suffer in the general disturbance, it is not surprising that so little of the first edifice should remain. Enough however is still traceable to mark the outline of its bulwarks, to shew where the bastions stood out from the curtain wall, where the moat separated the inner from the outer bailey, whilst a postern gate yet continues. In regarding the general figure

<sup>c</sup> The authority of John Simon de St. Liz.—Chron., Brompton expressly states it p. 975. to have been the erection of

of the plan, and judging from the existing mounds of earth, the debris of ancient buildings, the line of decayed and ruinous walls, and then comparing these with other buildings of a similar kind which still remain in a more integral state, for example, with Pevensey or with Pickering, there appears to have been a keep within the inner bailey, probably at the north-east end; in connection with this, the enceinte or boundary wall, which was occasionally flanked with circular towers, the enclosed area being occupied with erections, usually of wood, of a more domestic nature. The Nen flowed in its natural channel to the west, and the waters of the same river filled the moat, and encompassed the fortress on every side, though the moat itself is only visible at present as a dry ditch to the south. The few existing marks of a strictly architectural kind exhibit features in perfect accordance with the characteristics of the period to which its origin has been already assigned. Before pursuing the history of this building any further, or bringing in review the incidents that have tended to invest it with interest, I will briefly recur to the life of its founder. Under the hope of improving his fortunes, he had with two friends accompanied the Conqueror to England; they indeed returned early to their





native country, but the bright prospects of Simon de St. Liz naturalized him on British soil. Within a few years after his marriage he founded the neighbouring priory of St. Andrew, and filled it with Cluniac monks. The order was indeed never numerous in this country, and it is not a little remarkable that most of the endowments arose out of this early Norman intercourse. Simon de St. Liz, towards the close of his life, made the common journey to the Holy Land, and had even entered upon a second, when death arrested his pilgrimage, and he was buried within the walls of the abbey of St. Mary of Charity, in France, upon which his own recent foundation in Northampton was dependant. Were it within the scope of this enquiry, we might here linger to reflect on the contradictory feelings that actuated the sentiments of the age, contrast the early life of the soldier, his ambition, rapine, and thirst for bloodshed, with the remorse and devotion of his declining years ; we might observe how the two extremes of human nature became strangely blended together in the same individual, how the restless and savage warrior, whose hands were stained with violence and crime, became transformed, under a happier impulse, into the humble penitent and the mortified recluse. But for such a

retrospect we have not leisure, nor indeed would the present be a fitting opportunity. Yet we may not omit the avowal, that it is by such comparisons history delights to teach her moral lessons, and that a habit of drawing contrasts whilst instituting enquiries of any intellectual kind, will unveil its really philosophical aspect ; and thus too, to carry out the idea a little further, in estimating the relative beauties betwixt military and ecclesiastical architecture, we may observe how, in their intentions so discordant, they mutually engage the attention, the one impressing the mind by its stern solidity, its severe simplicity and dignified repose ; the other captivating the eye of taste by its elegance, richness and variety of decoration, and awakening the deepest feelings of emotion by the solemn grandeur, the holy symbols, and the sacred purpose of a pile dedicated to the glory of God.

There is another apparent contradiction betwixt the two styles, namely, that whilst the age of devotional buildings is for the most part wrapt in obscurity, the builder being seldom known, there often existing a wide interval between the date of the foundation and that of its actual erection or consecration, and therefore the date becomes



merely conjectural, left to the guess of ingenuity to settle, or to the diligence of induction to establish, or to fix by analogy, from some peculiar resemblance to other religious buildings presumed to be coeval, the mass of information relating to military structures, unhappily themselves too often swept away, is afforded to us in minute and continuous completeness. So that it may be truly asserted we have, on the one hand, Gothic buildings still rearing their lofty heads in pristine magnificence, proclaiming in notes of harmony the duties of men, without any record being left us to indicate whose skill and piety constructed them; and on the other hand there are military remains, mere roofless, tottering walls, crumbling, venerable ruins, whose darkest, dampest nook may be often explained by an entry on an official document, by a record of a genuine and undoubted nature laid up among the national archives. Nor, whilst they furnish every needful illustration, is their value less remarkable for the curious light they frequently throw upon the manners and domestic usages of the period, for the political and statistical information they abound in, for the animated reality and freshness of their facts, as contradistin-

guished from all other sources of contemporaneous history<sup>d</sup>.

Before proceeding to adduce a few extracts from these evidences, the attention must be re-directed to the noble family already mentioned. We have seen how there was united in the same person the character of warrior, architect, and devotee, and his son the third earl of Northampton strove with filial enthusiasm to emulate the actions that have transmitted his father's name to posterity. He too in his day became an architect. He assisted in laying a corner-stone to the honour of St. Guthlac at Croyland, and placed thereon a gift of a hundred marks for the workmen: he endowed the abbey of Sawtry in Huntingdonshire, and terminated his labours by erecting a similar religious house to St. Mary de Pratis in the verdant meads of De la Prè near Northampton. It cannot be said these virtues perished with the first possessors of the earldom of Northampton, since a higher amount of architectural knowledge, a clearer insight into its principles, and a better appreciation of its

<sup>d</sup> The Pipe, Clause and Liberate rolls have innumerable entries of this nature, whilst the Ministers' accounts, or Reparation rolls, are exclusively devoted to the subject.

beauties, attended by more disinterested benevolence, by a self-devotion to the cause of humanity and the progress of social refinement, seem to have descended as the indefeasible attributes of the title.

In returning to the immediate consideration of Northampton castle, I shall not so much restrict myself to an architectural investigation into what it actually was, as I shall endeavour to follow those notices which occur on the rolls relative to its history as the temporary abode of the English monarchs, and the seat of our early legislative assemblies. Architectural notices would indeed be of little comparative value, the object to which they refer being laid nearly level with the ground. Nor again does it seem easy to settle how the building first came into the hands of the crown, since we find it enumerated as one of the royal possessions in 1174, though the grandson of the founder was still alive. What became of the possessions of this last earl Simon de St. Liz in Northampton or elsewhere, it is now perhaps quite impossible to ascertain; none of his family succeeded him in his dignity, and the title became extinct after his death. This happened in the year 1184, yet ten years previously the castle was in the hands of Henry II. From this period downwards it is often

mentioned on the Pipe rolls, as the “*turris de Northampton*.” In the Pipe roll of Richard I.

\* Item in elemosinis constitutis militibus de Templo i. marca in Burgo de Norhamptona. Et monachis ejusdem villæ xx. s. et in liberacione x. militum residencium in castello de Norhamtona cum ipso vicecomite a crastino S<sup>u</sup> Michaelis anni præteriti usque ad vincula S. Petri sequentis anni scilicet de ccc. et vi. diebus, c. et liii. per breve Regis. Et in liberacione c. et viii. militum solidarum qui fuerunt cum Humfredo de Bohun constitutis apud Norhantona de i. viginti c. et xviii. per brevia Ricardi de Luci.—Mag. Rot. Pip. 20 Hen. II.

Et in reparacione Turris de Norhantona lxiiii. li. et xiii. d. per breve Regis et per visum Phillippi filii Jordani et Willielmi filii Remundi et debet viii. li. et viii. sol.—Mag. Rot. Pip. 28 Hen. II.

Et in reparacione Turris de Norhantona xxxv. li. et xiii. d. per brevem Regis et per visum Willielmi filii Reinaldi et Phillippi filii Jordani.—Mag. Rot. Pip. 29 Hen. II.

Et in liberacione servien-

tium de Norhantona xxxvj. marcæ per breve cancellarii. Et in operacione castri de Norhantonæ c. s. per idem breve.—Mag. Rot. Pip. 3 Ric. I.

Besides the castle there were two other buildings belonging to the crown in the town, whose repairs are occasionally mentioned on the Pipe rolls. The one is commonly called the ancient fabric, the other the hall. Perhaps the former may be the Lardarium mentioned in the Liberate Roll, 5 John.

Alanus de Covintre reddat compotum de ii. s. de veteri fabrica in Burgo de Norhantona. Et pro operanda aula de Norhantona iii. s. per breve Regis.—Mag. Rot. Pip. 30. Hen. II.

Et in reparacione et emendacione murorum turellorum et domorum castri Northantonæ anno liii<sup>o</sup>. per Willielmum Grilly et Simonem Champeneys tunc ballivos ejusdem villæ xxvi. li. per breve Regis.—Mag. Rot. Pip. 54 Hen. III.

The civil wars tended to

it is spoken of thus: "Adam de Sanford renders an account of five marks of Winchester money which had been deposited in the tower of Northampton and lost through bad custody." The date of this extract is in the year 1189. Passing over a few notices of minor importance we reach the reign of King John<sup>f</sup>. Both he and his prede-

injure the town greatly, as we learn from the cotemporary entries on the Records; thus in the year 1226, we find the following entry. Et in defaultum redditus villæ super domos vastas, x.s.—Mag. Rot. Pip. 10 Hen. III.

In the 36th of the same reign the crown made a grant of murage, to keep up the walls, by which writ the burgesses were empowered to take tolls upon the sale of brushwood, straw, cloth, tanned hides, sea fish, casks of ashes, wool, sheep, goats, and pigs, as they passed through the town, merchandise coming by boat, flax, millstones, garlic, &c., for every two thousand onions sold, a toll of a farthing was required.—Rot. Pat. 36 Hen. III. m. 12.

<sup>f</sup> An order to the sheriff of Northampton to expend 40 marks in repairing the castle.

—Rot. Clause, 7 John, 1205.

Writs to the barons of the exchequer, ordering them to settle with Henry de Braybroc his expenditure for repairing and strengthening the castle from the time it was in his custody. Exemption from castle-ward granted to William, the son of Hamon, and his soldiers, and order issued to Henry de Braibroc not to inconvenience them about this service.—Ibid., 15 John, 1213.

Ordered to the forester of Salcey to let Gaufredus de Marteney, constable of the castle, take materials and brushwood from the forest of Salcey to strengthen the castle of Northampton.

Writ to Gaufredus de Marteney to deliver up the castle to Roger de Nevil and come to the king with his soldiers and all the garrison of the

cessors on the throne occasionally visited this district for the sake of the hunting if not for weightier reasons of state, and there can be little doubt that at such times they made the castle their residence. In the Chancellor's roll of the third of this king's reign (1201) we meet with an entry conclusive of the assertion, and it is so illustrative of the nature of this description of document, and presents by its ample details so vivid a picture of the business habits, the easy spirit and recreations of the time, that little excuse will be necessary for quoting it.

"In repairing the king's houses in the castle of Northampton five marks. To serjeants who brought the heads of six outlaws, six shillings<sup>s</sup>. In repairing the aforesaid castle five marks. For four carriers bringing the hunting gear of the king from Northampton to Westminster half a mark. In repairing the houses of the king in the castle of

castle, bringing with him all his harness, and all his own as well as all the royal implements, such as wooden engines and quarells, (the king was then at Marlborough.) The custody of the castle was then transferred to Roger de Nevill, and the manor of Thorp, with all its returns, granted to him for guarding

and keeping the fortress in a state of defence.—*Ibid.*, 16 John, 1215.

<sup>s</sup> A similar entry exists on the *Rotulus Misæ*, 14th John. *Willielmo homini Ade Crok qui tulit vj. capita Wallensium servientium Cadewallani amputata ad Dominum Regem apud Roffam vj. sol.*



Northampton and Silveston forty shillings. To the chaplain at Geddington fifty shillings of his salary for the past year. The cost of a carriage and harness for the use of the queen twenty-eight shillings and sixpence. For a judge, and doing justice, three shillings and sixpence. In the purchase of hay for feeding the beasts in the park of Northampton thirty-seven shillings; and for the expense of taking six prisoners from Northampton to Stamford, and thence to Nottingham, seventeen shillings and ninepence." Remember we are now entering into the age of feudalism, a time of ignorance, illegitimate force, and moral imperfection, where we shall observe every thing in the system discordant to our modern notions, every thing opposed to our general ideas of liberty and civilization; let us bear this in mind when we examine these facts, and without measuring them by the standard of the present day, contrast them with each other. What is the picture we behold, and what are the results of our reflections? We see from a single extract on the sheriff's accounts the manner in which the revenue was expended, how freely the personal pleasures of the monarch were gratified; and with what singularity do these payments stand in juxtaposition with each other! The head of an

outlaw valued at a shilling, whilst the services of the king's confessor, with his salary in arrears, fetched no more than the same price per week<sup>h</sup>: again, the keep of the royal deer considered worth an outlay of seven and thirty shillings, whilst the remuneration of an officer of justice fell down to three and sixpence. Any comments of mine would be superfluous, the facts themselves will elicit their proper reflections<sup>i</sup>. Let us pass onwards in search of other information. We are at the commencement of the reign of King John, a period of pure administrative despotism, when intestine divisions began violently to convulse the realm: when the rising energies of the people sought for some consideration of their natural rights, when they finally freed themselves from political thralldom and obtained a redress of their grievances. The monarch

<sup>h</sup> It seems to have continued such till the sixth of Edward I.—Rot. Claus. m. 6.

<sup>i</sup> An illustration of another character offers itself in a letter of Fulke de Breauté to Hubert de Burgh, in which he states that a number of poor begging alms at the hospital of St. John in Northampton had been killed by

the press of those entering the gate, and several wounded and killed by the blows of the vergers; and he sends William Tilly, mayor of Northampton, to explain the circumstance, and begs to be informed what ought to be done.—Rep. Dep. Keeper. V. Append. II. No. 738.

himself became aware that personal activity, a quality he never wanted, was more than ever necessary. We accordingly find him constantly on the alert, seldom a week together in the same place: as a proof of his restlessness he visited Northampton in fourteen different years of his reign. He placed the royal castles in an effectual state of defence, and entrusted their custody only to those persons who were supposed to be attached to his interests, and upon whose faith he could place implicit dependence. The office of castellan or constable of the castle was one of great importance, as it has remained an honour to the present day. It was an office held during the king's pleasure, usually for a year, but among the earliest appointments in connection with Northampton it was retained for three. Four of these officers, Robert de Braybroc, Richard Marshall, Roger de Neville, and Fulke de Breaute, took a prominent part in the transactions of this and the succeeding reign, and will probably again present themselves to the notice. When the king appointed the last of these nobles, and impatiently forced him upon the keeper by a second writ under his private as well as the public seal, he was little aware of the vexation he was destined to awaken in his mind,

or that one for whose promotion he evinced such extraordinary solicitude should render him and his son so ungrateful a return.

Pursuing chronological order, the next account we meet with deserving attention is a writ on the Close rolls, (1206,) addressed to the barons of the exchequer, wherein the engineer is ordered to be paid at the rate of ninepence a day, with a grant of thirty shillings for a robe for his wife. Other entries occur authorizing payments for general repairs and the transport of military engines, which may be passed over. In the year 1215 we have another writ addressed to the barons of the exchequer, ordering them to remunerate Henry de Braibroc for forty quarters of grain, and twenty-four hogs, bought for the royal use and placed within the castle, at the rate of two shillings for each quarter of grain and the same sum for each hog. In the middle of this year the custody of the castle was transferred to Roger de Nevil, and the manor of Thorpe granted him for keeping it in a proper state of defence.

We pass on to the next reign, when during the constablenesship of Fulke de Breaute (1222) we meet with the first express mention of the gaol in the castle, the order given that the verderers of Salcey

should deliver to him materials for its reparation, as well as for the royal houses at Silveston and Brigstock. The troublesome state of public affairs, the successful resistance and growing power of the barons, had become by no means diminished through the accession of Henry III. to the throne. The early age at which he commenced his reign was also in many respects unfavourable for the establishment of domestic peace. The separation of Normandy from the possessions of the English crown, and the consequent loss to the royal revenue, contributed to render him more dependent for the aid of his subjects than his father had been : whilst the severity of the forest laws, ever a fruitful cause of popular discontentment, though mitigated in some degree by the enactments of the Great Charter, had by no means lost their force. An entry in illustration of this occurs on the Close rolls in an order of release granted to Radulphus de Eyneston from the castle gaol, where he had been confined for merely leading three greyhounds without a leash through the royal forest. It may probably be considered that he underwent an excessive punishment, but when it is known that the most trifling infringements of the law were usually visited by loss of life or bodily mutilation, he seems to

have received but gentle correction for his transgression. The king himself was at this time at Northampton, and is stated, in the document referred to, to have exercised this act of clemency at the suit and for love of master Roger Lacoc the physician. The same fondness for the pleasures of the chace pervaded all classes of society alike; peasants and prelates were equally within its influence, and sought together the same excitement; even Richard Poore, bishop of Salisbury, for his trespasses on the royal hunting ground, called forth the severe reprehension of his sovereign, and has left, in this respect, no enviable reputation behind him<sup>k</sup>. During this visit, Henry issued various writs of a local character. As they throw considerable light on the personal habits of the monarch, as well as evidence the minute attention paid to matters of a public and private nature, a few of them shall be brought under review. We have a writ addressed to the barons of the exchequer authorizing them to repay the bailiffs of the town

<sup>k</sup> Rot. Claus. 6 Hen. III. p. 517. And in the same way Eustace, Bp. of Ely, rendered himself obnoxious to the king's displeasure, and gave twelve dogs and a limer out of his

kennel.—Mag. Rot. Pip. 4 John. So did Seffride, Bp. of Chichester, pay a fine of ten marcs for hunting in the royal woods without leave.—Mag. Rot. Pip. 33 Hen. II.



eight shillings which they had laid down for the carriage to London of cloth bought for the royal use at the fair, and for canvass and wrappering to pack it up : one to the bailiffs, bidding them purchase for Nicolas the squire, six ells of bleu at eighteen-pence an ell, and a dressed lamb skin : one to Hugh de Neville, authorizing him to give the prior of St. Andrews eight poles for making joists for the tower of his church : the king had previously granted thirty rafters from the royal forest, to the abbot of St. James, whose buildings had been burnt down. About two months after this visit, Henry III. again took up his residence in the castle of Northampton. He was then in his eighteenth year, on his way to Bedford, with the intention of crushing the insurrection of Fulke de Breaute. It was an arduous undertaking, and the siege of that castle occupied him little less than eight weeks, since we find him there from the 21st of June to the 19th of August, (1224). Immediately he had proceeded on his journey as far as the castle then existing at Newport Pagnell, oppressed perhaps by the heat of the weather, he suddenly recollected having left behind him the royal store of wines, and a mandate was forthwith addressed to the sheriff of the county, desiring him to forward

without the least delay the four casks that had been left in his custody at the castle.

Though the legitimate title of Henry III. to the English crown was undoubtedly clear, yet it can hardly be said his pretensions to it were undisputed. He went however through the ceremony of a coronation, though the symbol of royalty itself had been lost, with the rest of the regalia, whilst being transported across the Wash. He was youthful, and inexperienced, but the discretion of his protector the earl of Pembroke, aided by the activity and valour of his high justiciary, Hubert de Burgh, made some amends for these deficiencies, and enabled him to resist for a time the growing power of his barons, as well as permanently to crush the danger menacing his possession of the sovereignty from Louis king of France. A caution has been already dropped against forming judgments of the past by the standard of the present age. Such modes of thinking will often invest facts with an unreal colouring, and both distort their own features, and the consequences they are intended to produce. The historical enquirer should exercise habitual caution and discretion, duly balancing against each other the events of the period, estimating them by the prevalent opinion of that particular

time, not being himself unaware that the march of civilization, and the progress of enlightenment are, as Christian perfection ought to be, daily advancing. Without going into the whole transactions connected with the fall of Bedford castle<sup>1</sup>, I will briefly state that exasperated by the dilatory nature of the siege, Hubert de Burgh tarnished the first great victory of his master by hanging eighty of the garrison after it fell into his hands. We shudder upon reading such an act of barbarity, but in our detestation of the deed forget that this was the custom of the age: we forget that the lower as well as the upper classes, true to the degradation of fallen humanity, had their minds alike familiarized with deeds of cruelty, and looked on if not

<sup>1</sup> An extract from the Scutage roll in the Tower may serve to shew the nature of the military service performed on this occasion; it is headed *Scutagium exercitus domini Henrici regis de Bedeford scilicet de scuto duas marcas.*—*Rex vicecomiti Ebor. Salutem, præcipimus tibi quod habere facias R. comiti Cestriæ et Lincolnæ scutagium suum de feodis militum quæ tenet de nobis in capite, et de feodis militum quæ tenentur*

*in capite de wardis et honoribus quæ sunt in custodia sua in balliva tua scilicet de scuto duas marcas, pro exercitu nostro Bedeford in quo fuit nobiscum per præceptum nostrum.*—*Episcopus Wigorniensis qui habet milites suos in exercitu habet litteras directas vicecomitibus Wigorn. Glouc. Warw. de feodis militum quæ de domino rege tenet in capite, &c.*—*Misc. Roll, No. 10. 8 Hen. III.*

as regardless as exulting spectators. No doubt it was an execrable deed, and the more frightful mockery of justice from being carried into effect under the sanction of the highest legal officer of the realm. Yet modern parallels may readily be found, and to press the subject homewards to the feelings, it can scarcely be a point of dispute how posterity will estimate the humanity and refinement of a nation which with all these offensive examples before it as warnings still enforces the same mode of criminal punishment.

During the blockade just spoken of, the castle of Northampton rendered considerable relief to the king, and the town likewise furnished towards it several carpenters, and other persons whose ingenuity was serviceable. When at length the fortress was taken, several of the engines were dismounted and returned home, whilst the harness of the king was sent by the sheriff of Bedford to London<sup>m</sup>. Of a building that withstood for so many weeks the most vigorous efforts of Henry to reduce it to subjection, nothing now remains but a conical mound of earth, whose base is washed by

<sup>m</sup> The various expenses connected with this memorable siege, an account of the military engines, and the different

methods of attack, are given on the Close rolls of the year with the utmost minuteness.

the silent waters of the Ouse. On this gentle eminence originally stood the donjeon, within whose massive walls the besieged, inspired with all the hopeless courage of despair, entrusted their last chance of safety<sup>n</sup>. But whoever seeks for these vestiges of its former importance in the modern town, or delights to visit a spot consecrated to liberty by this unavailing struggle, and rendered dear to the lovers of national freedom, vainly seeking for the living monuments of its ancient greatness, will still be gratefully repaid in beholding those stately piles, which are devoted, through the extensive charities of a London citizen, and the purer philanthropy and patriotism of the present noble owner of Woburn, to the social improvement and sanitary wants of the district.

In 1253 Henry directed a survey to be made of the condition of the castle of Northampton, at the time John de Grey received the custody of it: his commissioners found that the park was “decently kept in vert, venison, and pasture,” and that new

<sup>n</sup> This was not the first occasion in which the burgesses of Bedford held out this fortress against the crown, as we find in the Pipe roll of 2 Hen. II. they are returned

as owing xx. marcs for being in the castle against the king. Mag. Rot. Pip. 2 Hen. II.; and again they are returned for the same sum, 4 Hen. II.

works had been executed in the castle, by the sheriff of the county, as in walls, houses and other matters: that all the houses of the said castle might be maintained at slight cost; that the same sheriff had bestowed much expenditure on the great wall of the castle, which, however, still needed great repairs, and that there were then in the castle hewn and unhewn stone, lime and sand, which might be applied to that work<sup>o</sup>.

o Henricus Dei gratia Rex Angliæ dominus Hiberniæ dux Normanniæ, Aquitaniæ et comes Andegavensis Vicecomiti Northamptonæ salutem. Precipimus tibi quod assumptis tecum dilectis et fidelibus nostris Rogero de Whelton, Eustachio de Watford, Roberto de Plumton, Willielmo Tilly, Willielmo Gaugy, Benedicto Dod, Willielmo de la Funtaine, et Radulfus Chaunpeneis sub sigillo tuo et sigillis eorum sine dilatione nobis scire facias in quo statu dilectus et fidelis noster Johannes de Grey recipit custodiam Castri nostri de Northamptonæ et parci nostri ibidem. Teste me ipso apud Sutton xxx. die Maii anno regni nostri xxxvij.

Illustri et reverendo domino suo domino Henrico Regis Angliæ domino Hiberniæ duci Normanniæ Aquitaniæ et Comiti Andegavensi dilecti et fideles sui Rogerus de Whelton, Eustacius de Watford, Robertus de Plump-ton, Willielmus Tilly, Willielmus Gaugy, Benedictus Dod, Willielmus de la Funtaine, et Radulfus Champe-neys salutem. Noverit domine excellencia vestra nos ad preceptum vestrum circuisse et diligenter circumspexisse castrum vestrum de Northamptonæ et parcum vestrum ibidem ad certificant vos in quo statu dilectus et fidelis vester Johannes de Grey recipit custodiam predictorum castri et parci. Cujus statum vobis trans-



Towards the close of this reign the castle and town of Northampton were the scenes of important events, owing to the rebellion of the barons headed by Simon de Montfort.

It was on the 5th of April, 1265, that Prince Edward made his assault upon the town, on which occasion his councils were assisted by William de Valence, de Clifford, and others of the nobility. Much precautionary skill had been used by the king's adherents to facilitate his admission. The monks of the Cluniac Priory were greatly attached to the royal cause, and the same feeling had previously manifested itself among this religious order during the disturbances at Lewes. The religious brethren of the priory of St. Andrew had informed the king during his stay at Oxford that they had

mittimus inspiciendum. Invenimus parcum vestrum de Northamptonæ bene et decenter custoditum de viridi, venaceone et pastura. Invenimus etiam in castro vestro Northamptonæ multas operationes per fidelem vestrum W. de Insula vicecomitem vestrum in comitatu predicto de novo factas ut in domicilio muris et omnibus aliis locis ubi necesse fuerat. Ita quod vestra domus castro ejusdem

levi et decenti custu potuerant sustentari. In magno etiam muro castro ejusdem idem W. Vicecomes vester tempore suo maximum custum apposuit, tamen adhuc magna indiget emendacione. Propterea invenimus in eodem castro petram scissam et non scissam, calcem et sabulonem unde maxima in eodem muro poterit fieri emendacio.—Ancient Letters in the Tower, No. 442 *a* and 442 *b*.

undermined the walls of the castle, and concealed the entrance by timber. Simon de Montfort, who was amongst the most impetuous defenders of the town, barely escaped with his life, and was taken prisoner very early in the siege. Whilst the garrison were invited to a treacherous parley with the assailants, the monks pointed out the secret passage, and by this Philip Basset and 40 knights speedily entered and gained possession of the interior of the castle. Two days after its surrender, several of the principal baronial supporters gave themselves up as prisoners. To shew the prevalent spirit, it might be enough to state that the scholars from Oxford who had established themselves in the town were found in arms on the popular side, as enemies to the royal cause ; they were consequently placed under the most severe custody, and with difficulty Henry could be induced to spare their lives. This was the first grand victory of the civil war, and the outrageous conduct of the royalists in sacking the town, together with their rapine and sacrilege, which was sanctioned by their leader, greatly inflamed the minds of the people against the monarch<sup>p</sup>. Such deeds were considered by a contemporary chronicler, who favoured the side of

<sup>p</sup> *Henr. Knyghton*, 2448.

the conquerors, as enough to provoke the divine retribution for the evils which befel the perpetrators afterwards<sup>q</sup>. The elder de Montfort received the intelligence of Henry's advance upon Northampton too late to assist the cause of the barons, but the news of its downfall, and of the dreadful excesses committed by the victors, only served to inspire his followers with a deeper hatred for their enemies, whilst it led them to resolve that the succeeding month should not pass over without all the joy of their adversaries being turned to fear and confusion : a vow fully redeemed by their subsequent actions at Lewes and Evesham<sup>r</sup>.

<sup>q</sup> T. Wykes.

<sup>r</sup> After the baronial conflicts, pleas of the crown were held to enquire into the part different individuals had taken during these disturbances. The pleas relating to Northamptonshire have been printed in a volume put forth by the Record Commissioners under the title of *Rotuli Selecti*, and they furnish a valuable illustration of the manorial history of the county at this particular period, as well as serve to shew the part taken by the principal families, besides giving information which tends

to explain the customs and state of society at the time, as the following extract will sufficiently prove.

Robertus Rector ecclesiæ de Bereweby (Barby) dicit versus Philippam de Pauntton quod die S<sup>ti</sup> Clementis proxima post bellum de Evesham venit ad domum suam apud Bereweby cum aliis malefactoribus noctanter et hostia sua et januas suas fregerunt et ipsum et totam familiam suam depredatur scilicet i. palefridum cum hermesio pretio xl. s. et summarium suum cum toto har-

Although the burgesses of Northampton had taken no more active part in the commotions of this period than the inhabitants of other towns in the kingdom, yet in accordance with the custom of the times, they obtained, on the final suppression of the rebellion by the king's victory at Evesham, a general pardon for past transgressions, and more especially for having defended the town against the royal army, an act to which they had been compelled by the forcible occupation of it by the adherents of Montfort. Similar letters of grace were granted by Henry to many other towns; the original grant to the men of Northampton, under the great seal, is still preserved among the muniments of the corpora-

nesio suo pretio ij. marcæ et ij. equos carecarum pretio xxiiij. s. et i. tabarium cum quatuor capuciis pretio i. marca, et duo paria botarum et i. par ocrearum cum calcario et i. capello pretio vi. s. et ij. nappas et tria manutergia pretio v. s. Et i. chiphum cum hanaperio pretio ii. s. et i. par barillæ pretio xii. d. et i. lavatorium pretio xii. d. Item i. librum qui vocatur Portehors pretio xl. s. et i. librum de cantu organi,

pretio vi. s. viii. d. et alios libros de theologia et de romano pretio xx. s. et amplius et forsarium suum cum omnibus quæ infra continebantur, pretio xx. s. Item pannos ad faciendos saccos pretio ii. s. Item i. tunicam et i. piccie eboris pretio ii. s. Et de rebus sororis sue asportaverant, i. capetum, ii. lintheamina, i. rochetum, i. capucium et alia minuta quæ pertinent ad mulieres pretio viii. s.—Rot. Select. 175.

tion<sup>s</sup>. In the year following the battle of Evesham, 1266, a parliament was held at Northampton,

<sup>s</sup> See also Rot. Pat. 52 Hen. III.; the document is as follows:

Henricus dei gratia Rex Angliæ Dominus Hiberniæ et Dux Aquitaniæ omnibus Ballivis et fidelibus suis ad quos presentes littere pervenerint, salutem. Volentes majori et probis hominibus nostris de Northampt. gratiam facere specialem remisimus et pardonavimus eisdem et toti communitati ville ejusdem omnem indignacionem et animi rancorem quos erga ipsos conceperamus occasione detentionis ville nostre Northampton contra nos et captionis ejusdem, et eciam occasione transgressionum et excessuum si quos contra nos fecerunt tempore turbacionis habite in regno nostro et eis transgressionem et excessum hujusmodi quantum in nobis est similiter perdonavimus et ipsos ad gratiam et pacem nostram admisimus, nolentes quos ipsi per nos heredes nostros justiciarios ballivos seu alios ministros nostros occasione predicta decetero graventur in aliquo seu molestantur. Ita tamen

quod stent recto in curia nostra si quis de transgressionibus aliquibus versus eos loqui voluerit, et erga nos et heredes nostros bene et fideliter se habeant in futurum. In cujus rei testimonium has litteras nostras fieri fecimus patentes. Teste me ipso apud Windeſ. sexto die Maii anno regni nostri quinquagesimo secundo.—Seal in green wax; broken.

The Jews of Northampton, who had been expelled during the disturbance there, on the restoration of peace are ordered to return to the town and be under the protection of the burgesses.—Patent Rolls, 48 Henry III.

In the 25th Edw. I., 1297, in anticipation of approaching tumults in the town, a writ was addressed to the sheriff of the county that he should go to Northampton without delay and securely guard the castle there, so as to ward off both from it and the town the contemplated danger. Rymer, ii. 878.

By a writ dated 10th Dec., 50th Hen. III. (1265), the

when many of the nobles who had been forfeited for their participation in Monfort's rebellion were restored to their estates; sentence of banishment was pronounced on the younger Simon de Montfort, and the bishops of Worcester, Winchester, and London, were excommunicated by the papal legate for their adherence to the popular party. From this period downwards, the notices occurring relative to the castle of Northampton decrease in value as they descend in the order of time.

It continued however to be, as before, one of their principal residences whenever the English kings visited the county, but improved methods of warfare gradually began to lessen its importance as a fortress. The energies of Edward I. were called into exercise upon a different field; his anxiety was directed towards the northern borders, as well as to subdue the Welsh; he had consequently but little comparative need of military defences in the central districts of England. His successor had enough to do in protecting himself against the incursions of the Scotch, yet the general troubles of

king had ordered all who owed him service to meet in array at Northampton, on the day of Lucy the Virgin (Dec.

13) at latest, to go forth and expel the rebellious barons from Kenilworth.—Rymer, i. 467. Rot. Pat. 50 Hen. III.



his reign rendered it necessary that the royal castles should be restored, and maintained in an efficient state. In 1323 another survey of the castle of Northampton was taken, from which we learn some most interesting particulars as to its condition and extent in the early part of the fourteenth century. It appears that some time before the date of this document, the great hall, the two principal chambers, and the lower chapel had been destroyed by fire, and the jurors estimated the cost of their restoration at 702*l*. They found also that the chambers of the "new tower" in the said castle, and also six turrets on the circuit of the wall, were for the most part destroyed by Nicholas de Segrave, keeper of the castle, in 1307 : among other dilapidations are enumerated ruined walls, a crazy garden-gate, a ruinous barbican, and a certain "old tower called Faukestour, which was begun in the time of King Henry the Elder." This passage seems to indicate that popular opinion attributed the erection of this "old tower" to the celebrated Fulke de Breaute, the terrible "Falkesius" of the monks of St. Alban's, who, as we have seen, was warden of the castle in 1216. Although the times of Fulke and of King Henry the Elder (Henry II.) were not the same, yet some accidental circum-

stances now unknown, may have led to the association of the name of that redoubted foreign mercenary with a work constructed before his arrival in England. The jurors found that it would require the sum of 395*l.* 6*s.* 8*d.* to repair the defects last named: thus it is evident the castle was in a most decayed state; the estimated outlay necessary for its restoration would have exceeded 12,000*l.* of the present currency<sup>t</sup>.

<sup>t</sup> Edwardus Dei gratia Rex Angliæ dominus Hiberniæ et dux Aquitaniæ, dilectis et fidelibus suis Johanni de Wylughby et Eustachio de Burneby salutem. Quia datum est nobis intelligi quod in castro nostro Northamptonæ diversi sunt defectus hiis diebus ad grave dampnum nostrum et maximum periculum ejusdem castri nisi citius reparentur. Nos volentes certiori in quo statu dictum castrum nunc existit et qui et quot defectus in eodem ut in turribus domibus muris ac aliis edificiis existunt, et quo tempore, et pro cujus vel quorum defectum defectus illi evenerunt et qualiter et quo modo, et de quanto dicti defectus valeant reparari, assignavimus vos ad inquiren-

dum per sacramentum proborum et legalium hominum de comitatu Northamptonæ per quos rei veritas melius sciri poterit super premissis et ea tangentibus plenius veritatem. Et ideo vobis mandamus quod ad ceteros diem et locum quos ad hoc provideritis ad castrum predictum accedentes castrum illud ac defectus in eodem supervideatis et inquisitionem inde faciatis in forma predicta, et eam distincte et apte factam nobis sub sigillo vestris et sigillis eorum per quos facta fuerit sine dilatione mittatis et hoc breve. Mandavimus enim vicecomiti nostro comitatus predicti quod ad ceteros diem et locum quos ei scire, facietis venire faci coram vobis tot et tales probos et legales homines de balliva sua

Edward III. was too deeply intent on securing the precarious advantages obtained by his father,

per quos rei veritas in premissis melius sciri poterit et inquiri. In cujus rei testimonium has litteras nostras fieri facimus patentes. Teste me ipso apud Ebor. viij. die Maii anno regni nostri sexto-decimo. Per Thes, nunc Magistro Johanne de Hyldesle.

In dorso. Nos Johannes de Wilughby et Eustachius de Burneby per sacramentum proborum et legalium hominum comitatus Northamptonæ diligenter inquisivimus quicquid tenor hujus mandati vestri supponit prout patet per inquisitionem inde captam et huic vestro mandato consultam.

Inquisitio capta coram Johannem de Wilughby, et Eustachium de Burneby, assignatis per commissionem domini Regis ad inquirendum super defectibus castri domini Regis Northamptonæ, apud Northamptonæ die Jovis in Septuana Pentecostæ anno regni Regis Edwardo filii Rege Edwardo sextodecimo, per sacramentum Walteri filii Roberti de Daventre militis, Ricardi Mallore, Henrici de

Bray de Herleston, Walteri de Mortuo Mari, Gilberti de Etewell, Johannis Dyne de Brampton, Roberti de Haulton, Ricardi Hanred de Piseford, Walteri le Carpenter de Northamptonæ, Willielmi de Bliseworth, Bartholomæi Barre, et Johannis Barre. Qui dicunt super sacramentum suum quod in castro Northamptonæ magna aula, longa camera juxta aulam versus Austrum et magna camera juxta aulam versus Orientem et capella yma versus Austrum combusta fuerunt tempore domini Ricardi de Lemesy quondam custodis castri predicti. Que possunt emendari in cimiteria de petra calce sabulo morterio et in cariagio de cccc. li. Dicunt etiam quod possunt emendari videlicet in carpenteria mæremio cariagio et cooptura de shingles et aliis necessaria de ccl. li. Et quod gutteræ earundem domorum cum cresta et clavis possunt emendari cum xxij. li. Et quod hostia et fenestræ predictarum domorum possunt emendari in ferramento verrura et aliis

and the fairer territories won by his own valour in France, to bestow much of his attention on this

hujusce necessaria cum xxx.li. Sm<sup>a</sup>. dccij.li.

Dicunt etiam per sacramentum suum quod camera novi turris in predicto castro et eciam sex parvi turres in circuitu muri castri predicti in magna parte fuerunt dirutæ tempore Nicholai de Segrave nuper custodis castri predicti et possunt emendari in cementia cum x. marcis et eciam in carpenteria maeremio et cariagio per eisdem cum xl. marcis. Et cooptura domorum et predicorum sex turrium infra predictum novum turrim potest emendari de petra et shingles cum xl. marcis, et in plumbo pro eisdem turribus cum xxviii.li. Dicunt eciam quod due stabule quarum una stat juxta coquinam et alia juxta veterem turrim dirrutæ fuerunt tempore domini Edwardi quondam Regis Angliæ patris domini Regis nunc, que possunt emendari cum xxx.li. Dicunt eciam quod ceteræ domus predicti castri cum hostiis et fenestris possunt emendari cum xl. marcis. Dicunt eciam quod est ibi

quidam murus super mantellum predicti castri qui potest emendari cum cc.li. Et eciam est ibi alius murus debilis super predictum castrum inter novam portam et novum turrim, et potest emendari cum xx. marcis. Dicunt eciam quod sunt ibi due porte debiles una versus gardinum et alia infra curiam aule et curiam Castri et possunt emendari cum iiij.li. Dicunt eciam quod est ibi unum barbicanum debile extra portam castri et potest emendari cum xl. marcis. Dicunt eciam quod est ibi quidam vetus turris qui vocatur Faukestour qui inceptus fuit tempore domini Regis Henrici Senioris set de quo potest construi vel reparari ignorant. Dicunt eciam quod est ibi quidam fons tractabilis ante hostium magne aule et dirruta fuit tempore Nicholai de Segrave predicti et potest emendari cum x. marcis. Summa cciiij.xv.li. vj. s. viij. d. Summa totalis m<sup>e</sup>. iiij. xviij. li. vj. s. viij. d.

In cujus rei testimonium predicti juratores presentis Inquisitionis sigilla sua appo-

quarter of his dominions. The castle remained as a prison until nearly the commencement of the last century, when it fell into private hands. Hitherto we have only mentioned it as a place of defence, as one of those unhappy spots where the wretched felon and suspected violator of the forest laws lay famishing amid the palatial profuseness of the proud Plantagenets, and the Christmas luxuries of de Breaute, or as the occasional abode of the English kings; but henceforth it opens upon the attention with more agreeable as well as more universal interest. We shall now observe it as a place where laws became agitated, pregnant with loftier views of responsibility, and where the general march of humanity was accelerated by salutary provisions for the regulation of commerce and the administration of justice.

Without perplexing ourselves by a long enquiry into the nature of our early legislative assemblies, I will merely state as a reason for passing over by a rapid enumeration the earlier ones convened at Northampton, that it is not until the latter end of the reign of Henry III. that we are able to discover the rudiments of that popular mode of repre-

*suerunt die et anno supradictis.*—*Inquis. ad Quod Damnum*, 16 Edw. II. No. 119, apud Turrim.

sentation existing at present. During the antecedent period, the spiritual and temporal peers were the only persons admitted to the royal councils, and their privileges seem to have been very indefinitely laid down. On some occasions the former outnumbered the latter, on others there was a preponderance on the side of the barons, and as in the instance of the parliament at Shrewsbury during the reign of Edward I., sometimes the bishops were not even summoned. Nor are these deviations from the general system the only ones on record, as we find parallel instances in the Cortes of Castile, to which in 1370 and 1373 neither the nobles nor the clergy were called. Although the title of 'parliament' has been freely given to several of these early conventions, we must not connect them with our modern application of the term, nor suppose that the principle of receiving representatives from the community was fully recognised. Parliaments were not in fact identified with the more ancient forms of the British government. This will enable us at once to pass over, without discussion, the conferences held here between Robert duke of Normandy and his brother Henry I.; the settlement of the succession by the latter prince upon his daughter



Maud ; the council held both by Stephen and Richard I. ; the convention to try the traitorous à Becket, and the ratification of the Constitutions of Clarendon. Each of these, historically interesting, deserves more attention than the present occasion will suffice to afford, but none taken by itself involves directly any point of sufficient constitutional importance for us to pursue its examination further<sup>u</sup>.

<sup>u</sup> Of the councils held at Northampton, the following are the principal. In 1131, a great curia, placitum, or council, at which were present all the "*Principes Angliæ.*" In 1157, a convention of the *Præsules*, *Principes regni*, eight bishops, twelve abbots, and many other foreign and English nobility, and "*inferioris ordinis personæ.*" In 1157, as we are informed by Gervase, (p. 1378,) the convention at Northampton consisted, besides bishops, of the principal persons of the kingdom, of abbots, and of some persons of an inferior degree. They heard on this occasion a cause between the archbishop and the abbot of Canterbury, respecting the latter's profession of obedience to the

former, as the pope had commanded. In 1164, when Becket was ordered into banishment. The parliament was held within the great hall of the castle, on Thursday, Oct. 13, when the archbishop was accused of various crimes, such as perjury, &c., and all his moveables were confiscated, for not coming to the king's court when cited there on the complaint of one who thought himself injured by him in his own. The second day he was accused of having £500 of the king's money in his hands, and five persons, who voluntarily offered themselves to be his sureties, were bound for him. The third day another larger debt was laid to his charge. On the fourth day, Saturday, there

It was not until the forty-ninth of Henry III. (1265), when two knights were first summoned by

was nothing done except holding a consultation. On Sunday Becket did not leave his chamber. On Monday when summoned he was sick, and did not appear. On Tuesday, after receiving mass, he came into court, and at the entrance into the king's chamber within the castle, where he was to expect the king, he took the cross from the bearer, and carried it into the chamber with his own hands, which was highly resented by the king, because he seemed to come in with it in defiance, and this again constituted another ground of complaint. The ecclesiastics sat apart from the nobles, and at last agreed to accuse the archbishop to the pope of perjury, engaging themselves before the king to do their utmost to bring about his deposition, on condition that he would excuse them from passing judgment. To this the king assented, and they then informed the archbishop they were no longer bound to obey him, because he was guilty of perjury in having broken his

faith with the king. On the following night he secretly escaped from the town and got to Sandwich, from whence he passed over into Flanders. An event so remarkable has attracted the attention of several annalists, between whose various statements there exists much discrepancy. A life of Becket has recently been written by the Rev. J. Giles, and very succinctly also by Thierry in his *Histoire de la Conquête de l'Angleterre par les Normands*. In 1176, when the Constitutions of Clarendon were ratified: when the king of Scotland attended, and besides much other business transacted, the whole kingdom was first divided into six circuits, and three itinerant judges appointed for each.—(Hoveden, p. 1108.) In 1177, when Robert earl of Leicester and others were restored to their lands, and the canons secular of Waltham resigned into the archbishop's hands their prebends, that the king might there introduce canons regular. In 1190, 1194, 1223, and 1224, when Henry

the sheriffs from the counties, and two burgesses from the cities or towns, that the outline of our actual representative system can be distinctly traced. Before this indeed the spirit of lawless force was predominant; the absolute power of the crown prevented any thing like national development, and the varied elements of political life and freedom had not burst forth into existence. The kingdom was now undergoing all those intestine

was desirous of ascertaining the opinion of the kingdom respecting a war with France. The archbishop of Canterbury and the other prelates anathematised Fulke de Breauté. There was also a subsidy granted for making machines for the siege of Bedford castle, the king granting a charter that this should not be considered a precedent. In 1227, when a scutage was assessed of three marcs for each knight's fee, by advice of the earls and barons summoned to Northampton for the purpose. The archbishops and bishops for certain apparent reasons were not summoned. (Madox, Exchequer, p. 422.) In 1265, about the feast of the Apostles Philip and

James, the king held a parliament at Northampton, to which were sent solemn messengers, (*solemnnes nuncii*), petitioning the king, that he might restore them to their former state, and that they might be able to choose sheriffs for themselves, who should be answerable to the exchequer for the ancient fee farm which was granted by letters patent, dated by the king the 1st of May at Northampton, anno 1<sup>mo</sup>.—*Cronica Maiorum*, 85. In 1266, to confirm the dictum of Kenilworth. In 1268, 1283, 1329, 1336, 1338. At Clipstone in 1290. At Geddington in 1188, to consult about a crusade. At the abbey of Pipewell, now entirely destroyed, in 1189.

miseries which sooner or later enforce upon bad governors the necessity of renovation and cure. It was in a sadly distracted state when in the midst of the general distress and confiscation that prevailed, Henry suddenly convoked a great assembly to meet him at Northampton (1268.) But it was not to discuss the wretched condition of his subjects, to adopt remedies for alleviating their wants, or to conciliate the disaffection of his barons, that he issued his writs for the convention. It was not a meeting to be confounded with our ideas of a parliament, but a mere gathering of the upper classes, which should afford the papal legate an opportunity of preaching a crusade; and judging from the result, his exertions were far from being unsuccessful, since the monarch himself, with a large number of the nobility, took up the cross and proposed to accompany his sons to the Holy Land.

We are now arrived at a period when the popular voice was the first time plainly heard in the councils of the state, and amongst the earliest of those towns enjoying the privilege of sending their representatives to parliament, were Northampton and Bedford, a right acquired in all probability from their being attached to the royal demesnes.

Although various modifications and successive changes were henceforward perpetually arising, the burgesses appear from the 23rd of Edward I. to the present day, to have been legally considered both as constituent as well as necessary parts of the legislative body. Edward I. died on the 7th of August, 1307, at Burgh on Sand, in his last expedition against the Scots, and on the 26th of the same month, his feeble successor summoned a parliament to meet him 'for a special purpose' at Northampton<sup>x</sup>. One of the ostensible reasons for the present convention was to make arrangements for the funeral of his father. Whatever amount of incapacity or moral obloquy may have attached itself to the character of Edward of Caernarvon, it can scarcely be said that filial affection was a virtue in which he was deficient. The performance, however, of the melancholy solemnities so naturally due to the memory of the late king, was not the sole reason for parliament meeting so immediately after his death, since the writs, our chief source of information, (the rolls of its proceedings

<sup>x</sup> On the 6th October, 1307, an entry occurs on the Issue roll of the Exchequer, of ten marks paid to John de Eggleshale, a valet of the king's household to provide for his office in the hall of Northampton castle, against the coming of the king there, p. 118.

having, like most of those of the reign, become lost,) further mention, as subjects for discussion, the new sovereign's coronation, and his espousals with Isabella of France. There was another latent motive for its convocation, one involving more important political rights. The active reign just ended had left the young prince surrounded with difficulties, against which he was in every way unequal to contend. The discontentment of his barons, the increasing demands of the pope, the long and expensive wars in which his ancestors had been engaged, now bequeathed as a legacy upon his impoverished exchequer, had to be provided for, not as formerly from the private revenues of the crown, but to be supported by extraordinary grants from the people. The personal resources of the king had gradually become lavished away, and we thus trace the earliest causes of the diminishing power of the royal prerogative, as well as the subsequent influence of the national voice in regulating taxation. The three estates of Parliament assembled at Northampton on the 13th of October,

✓ The Liberate rolls of this year contain no mention of Northampton whatever, but the Close rolls of the same time have entries recording

orders to bailiffs to pay to Nicholas de Segrave the constable, sixty pounds for repairs of walls and buildings of the castle—also to fortify



four months before the king was actually crowned, and did not entirely separate until the beginning

the castle, for better security and safety of the people—also to repair walls and paling of the park. (Rot. Claus. 1 Edw. II.) On the Patent roll 18 John, there is an order for the payment of arrears and wages due to the king's servants in garrison of the castles of Northampton and Rockingham, so that they might have no reason to leave the king's service.

A grant of murage to endure for three years had been previously made in the 9th of Henry, by a deed tested on the 24th December at Brackley, but it did not specify the customs so minutely as the one just referred to. These privileges were repeated in the 4th and 29th of Edw. I., as well as in the 2nd of Henry IV. The grant of 29 Edward I. authorizes them to endure for five years, and among many additional imposts which it permits to be levied, occur tolls upon every worsted cloth which is called coverlit, upon linen web of Aylesham, garments of cendle worked quilted, salted fish,

lampreys (one penny per dozen) and bales of cordovan. Rot. Pat. 29 Edw. I. m. 1. It was probably from supposing that because murage tolls were allowed for only a limited period, that a few years ago the right of the corporation to claim any tolls was called into dispute. The result of the trial, Lancum versus Lovell, in the Court of Common Pleas, Feb. 21, 22, 1832, before Chief Justice Tindal, for ascertaining the right of the mayor, bailiffs and burgesses, to take certain tolls in the town, fully established the custom of the borough.

At so early a period as the 3rd of Edw. III., (1329,) some of these customs had been disputed, and the bailiffs of the town were presented for taking unjust tolls as well at the fairs as at other times, whereas 'nothing used to be taken out of fair time, and then from dealers only, and not from those who bought cattle for stock. And they took from Thomas de Skalford, who sold one ox, one penny, and likewise from the pur-

of the following year<sup>z</sup>. It was in the twenty-fifth year of the preceding reign, about twelve years before this time, that the laws exacting pecuniary aids from the subject, first became clearly defined :

chaser thereof they took toll to the great oppression of the people.' For these excesses they afterwards paid a fine to the crown. *Placita Coronæ*, 3 Edw. III. roll 10. The same year the inhabitants of Slipton complained that they were tolled for carts passing through their own village, (*Placita Coronæ*, 3 Edw. III. roll 51,) and other complaints were made by the men of the county, (*id. m.* 70.) The same records also give the examination of an undue exercise of justice upon malefactors within the town of Northampton, under the plea of having the right of infangenthef for the power of executing death on malefactors. Also that there were four coroners when the mayor and bailiffs confessed one was in a general way sufficient. In consequence of these various complaints, Robert de Arderne was appointed custos of the town, by a writ tested by the king at Kenilworth, 7th

Dec., (*Originalia*, 3 Edw. III.,) and two coroners and two bailiffs were deputed to discharge the duties appropriately belonging to each office. *Placita Coronæ*, 3 Edw. III. v. 71. Robert de Arderne to hold the same for the crown, and for Queen Isabella, Edward's mother, which farm she had received at her son's appointment. (*Originalia*, 3 Edw. III.)

<sup>z</sup> It was at this period that diplomatic and official relations began to be established betwixt European and Asiatic nations; mongols of distinction visited some of the chief cities of Spain, France, and Italy, and during the present parliament an answer was sent to the king of Tartary in return for his friendly embassy. See Rymer, vol. ii. p. 8. new edition, and *Memoires sur les Relations Politiques des Princes Chrétiens avec les Empereurs Mongols*. Vol. ii. Mem., pp. 154—157.

nevertheless they continued for a length of time to press with unequal force upon the rising energies of the people, and in illustration of this, we find in the transactions now under review, that whilst the clergy and the burgesses contributed in this Parliament a fifteenth from the towns, the knights granted from the counties a twentieth of their moveables, to prosecute the war against the Scots.

Other important matters were for the first time settled by this parliament ; such as the terms of the coronation oath, and the oath tendered to the representatives upon taking their seats. By the general tenor of the latter, more especially in its fourth and sixth clauses, every precaution seems to have been taken to support and strengthen the royal prerogative, whilst the provisions of the former not only recognised the limitation of the royal power by existing laws, but that the power of altering those laws and enacting others, could only be exercised with the consent of the ‘communaute,’ or the lords and commons assembled in parliament. On the present occasion, then, we witness the conflicting elements of the English government balanced against each other with the nicest appreciation of their relative value, those mighty parts formerly brought together in such

discordant and hostile collision, now firmly cemented in peaceful union, and the entire fabric laid on so wide a basis, that not only may it be said, the constitution was for the first time securely established, but that however much corruption in the elective franchise, municipal abuses, or natural decay, may have deformed its fair proportions in the lapse of succeeding ages, a reformation and cure has always been found for them by recurring to the pure spirit of these early principles.

The parliament again assembled at Northampton in the second year of the succeeding reign (1328), meeting immediately after the one summoned to York, in consequence of several of the representatives being absent on that occasion. No constitutional questions came under review; these, indeed, had been pretty generally fixed in the preceding reigns as they now stand, but much business of a momentous character occupied attention. In the first place, the writs of summons prohibited tournaments, and the appearance of that tumultuous retinue of armed men which had usually attended upon these occasions. The representatives were thus enabled to carry on their deliberations without distraction, personal fear, or restraint<sup>a</sup>. Here

<sup>a</sup> As these exhibitions were extremely popular with the

both the origin and authority is found for that resolution of the Long Parliament (1645) forbidding the appearance of the military at an election, ‘as a high infringement of the liberties of the subject, and an open defiance of the laws and constitutions of this kingdom;’ a resolution subsequently established by act of parliament, (8th George II.) The Scottish convention and a treaty of peace were confirmed at the present meeting, the preliminary of a commercial intercourse with Flanders settled, the first annual payment made of Queen Philippa’s dowry, and power given to the bishops of Worcester and Chester to demand and ask for, in the king’s name, the right and possession of the kingdom of France. Amongst other business also now transacted was the custody of the great seal, which was transferred from the keeping of Master Henry

generality of the nation, they attracted large concourses of people, and consequently occasioned great tumult and confusion. Hence we find them frequently prohibited, and more especially on those occasions when the great people of the realm were called together to deliberate on affairs concerning the state.

Thus tournaments were prohibited in the 4th, 5th, and 17th of Edw. II. On the last year however, notwithstanding the general prohibition, one was allowed at Northampton, but after this tournament, no one should hold another in any part of the kingdom. (Rot. Pat. 17 Edw. II. p. 1. m. 16.)

de Clyf and William de Herlaston, to Henry de Burghersh, bishop of Lincoln. This transfer was publicly made by the king himself, in the presence of several of the nobility, immediately after the celebration of mass, in a certain chapel of the priory of St. Andrew, and the same document states that the keeper used it in sealing briefs the next day. It appears from a subsequent document, printed in the *Fœdera*, that the custody of the great seal was again changed by the king taking it himself on Sunday the 15th of January following (1329), in a certain chamber where Queen Isabella was lodged, in the same priory, and he retained it till Thursday, when he restored it to the bishop in the presence of his lords, in the garden of the prior of Newenham, near Bedford. In this parliament was enacted the FIRST STATUTE OF NORTHAMPTON. It commenced by confirming the Great Charter and the Charter of the Forest. By subsequent clauses the pardon of felons was placed on a better system, and the administration of justice carried on under less restraint, since all persons were forbidden to present themselves armed before the royal ministers. Sundry provisions were made relative to the delivery of writs to the sheriffs; legal officers were appointed to enquire into rob-



beries, manslaughter, theft, oppressions, conspiracies and grievances, as well by the servants of the crown as by others ; justice was not to be delayed at the bidding of the great or little seal ; the county cess was put on an improved footing, and all staples were to cease. In the various provisions of this admirable statute of Northampton, there is the highest regard evinced for individual liberty ; the crown itself is limited in its interference with the equal course of justice, its powers being confined, by the terms of the royal oath, to granting charters of pardon for offenders. The criminal law was much amended by these and other regulations ; aristocratic influence in gaol-deliveries was checked ; the common rights of the people were carefully respected. Nor is it undeserving observation that in abolishing those mercantile monopolies which had sprung up in the late reigns, how clearly the parliament understood their injurious tendency, whilst, to shew how repugnant it thought them to be to the earlier theory of the constitution, the present statute allowed “merchants, strangers, and others to go and come with their merchandise into England after the tenor of the Great Charter” of the 17th of John. So jealously watched and guarded indeed was the

freedom of commerce during Edward III.'s reign, that, independently of the present statute, a full recognition of its unfettered principles was set forth in the preamble and first clause of the tenth parliament held at York, (9th Edward III. 1335.) It would be opening the subject far too wide were I to mention in this enquiry the various occasions when royalty visited the town of Northampton, and I have merely noticed the foregoing incident, amongst many, to shew how frequent those visits formerly were, and to furnish some kind of idea of the business habits of the period, and the simple modes of regal life. The parliament opened its sittings on April 24th, and did not conclude them until the 21st of May, during the whole of which time Edward III. remained here.

In the twelfth year of his reign, when the third parliament assembled at Northampton, we find him actively engaged in prosecuting his claims upon the kingdom of Philip of Valois ; and in pursuing this favourite object of his ambition he spent much of the early period of his life on the continent. He was now on the eve of embarking upon one of these expeditions, but previously to his departure he addressed writs to the usual persons, informing them that he had appointed Edward his eldest son

keeper of the realm during his absence, and summoned them to attend a great council at Northampton on the morrow after St. James the Apostle, (July 26, 1338.) The writs were tested on the 15th of June, and the parliament was duly convened at the appointed time; the king himself, however, sailed for the continent a few days before it met. One of the monarch's first acts on reaching Antwerp was to address an order to the great ecclesiastics, revoking the power he had confided to them to treat of peace with Philip of Valois as king of France. Meanwhile his son, the Black Prince, effectually urged the Parliament to supply the necessary aids for carrying on the campaign abroad. This, with a few regulations for victualing the royal castles of Scotland, and some acts of minor consequence, brought the session to a close at the end of about ten days<sup>b</sup>.

The last parliament at Northampton was summoned for the 5th of November, in the fourth year of Richard II. Most of the great officers of state assembled at the appointed time, by order of the council, in a chamber of St. Andrew's priory, where

<sup>b</sup> After the king had sailed, a council of merchants, four of the richest and most discreet from each county, were summoned to deliberate on important affairs, which was no doubt concerning the means of raising supplies for the war.—Rymer, vol. ii. p. ii. p. 1051.

they heard read the great charter of English liberties, but after waiting in vain for some time the arrival of the other representatives, who were deterred from attending in consequence of the heavy rain and floods, it was agreed to adjourn the parliament until the following Thursday, the members being permitted to retire in the meanwhile to their hostels for their ease. The roads had been rendered so impassable by the bad weather that it was with considerable difficulty the king reached his manor of Moulton, where he was lodged, in the immediate neighbourhood to the town.

Richard II., now in his fifteenth year, met the parliament in person on the 8th of November. It was not a very numerous convention, as several of the nobility were still detained on business in the marches of Scotland. The chancellor, (Simon de Sudbury, archbishop of Canterbury,) on the part of the king, opened the proceedings by stating the motives that had induced him to call this parliament together, how desirous he felt that the liberties of the Church and the peace of the realm should be maintained and guarded; he next referred to the matter with which he was charged by the king, saying emphatically<sup>c</sup>, “Sirs, it cannot be

<sup>c</sup> This speech and the proceedings of the parliament are in Norman French.

a thing unknown to you, how that nobleman the earl of Buckingham, with a great number of other great lords, knights, esquires, and other good gentlemen of the realm, whom may God save by His mercy, are now in the service of our lord the king and his realm in the parts of France, upon which enterprise the king has expended as much as you have granted him in the last parliament, and beyond this grant, much from his private resources; and what is more, he has greatly contributed from his own substance for the expedition against Scotland, and for the defence and succour of his lieges in Guienne, and for the last debts due to the earl of March for Ireland, as well as in other ways; he has pledged the greater part of his jewels, which are at the point of being lost, and you may observe how the subsidy of wool is the cause of the present riot in Flanders; nothing, in effect, is reserved: the wages of the troops in the marches of Calais, Brest, and Cherbourg are in arrears more than a quarter and a half, in consequence of which the castles and fortresses of the king are in such great peril, that the soldiers are on the point of departing. Be well assured that neither our lord the king, nor any other Christian monarch is able to endure such charges without the aid of the com-

munity ; and moreover, consider how deeply the king is indebted, how the crown jewels, as it is said, are at the point of being forfeited, how he is bound by covenant to pay the earl of Buckingham and his companions, what outrageous expenses he will be put to in guarding the sea-coasts nearest France next season, so that the malice of the enemy may be better resisted than it was before, when, as you are well aware, they wrought such grievous damage and villainy against the state. Will you counsel our lord the king, and shew him what better provision can be made to meet these difficulties, and how the kingdom may be defended more securely against its enemies by land and sea. Be pleased to deliberate on this as soon as you are able, to the end that you may speedily render his majesty, these nobles, and yourselves, that effectual assistance which is necessary." With such weighty arguments the chancellor opened the present parliament, adding also, at the close of his speech, that the king both wished and commanded all persons who had any grievance which could not be redressed without the interposition of parliament, that they should present their petitions to the clerks of chancery appointed to receive them, who would hand them over to the prelates for judgment.



After this address, they all departed to their respective hostels, and on the morrow consulted together in the new dormitory of the priory, on the business he had propounded. A lengthened debate ensued, in the course of which Sir John Gildersburgh, who was deputed by the commons, declared they were very poor, and unable to bear any further charge ; that the present demands of £160,000 were outrageous and insupportable, and prayed that the prelates and lords would treat by themselves, and set forth the ways by which a reasonable sum, at less distress to the people, might be levied and collected. After considerable discussion and mutual conference, the commons proposed that if the clergy, who occupied one-third of the kingdom, would support one-third of the charge, they would grant £100,000, so that the laity should be rated at 100,000 marks and the clergy at 50,000. Upon this the clergy replied, with less liberality than adherence to legal precedent, that their grant was never made in parliament, neither ought to be ; that the laity neither ought nor had the power to bind the clergy, nor the clergy the laity, but that if any ought to be free, it was themselves ; praying moreover, that the liberty of Holy Church might be saved to them entirely, and that what the commons deemed fit to perform, they would certainly

do the like themselves. The commons then imposed a capitation tax on all the laity, male and female, above fifteen years old, of three groats, very beggars only excepted, which, with the sudden emancipation of the serfs in the following parliament, was the occasion of the insurrection under Wat Tyler and Jack Straw the next year. The same kind of revolt had, from a similar enlargement of their liberties, broken out amongst the French peasantry some time previously.

This question being at last settled, parliament proceeded with the minor objects of its meeting. From these I shall only select three for especial mention, and two of them are chosen simply from having a more peculiar local interest than the rest. The first entitled to notice is the passing of the SECOND STATUTE OF NORTHAMPTON, an act enforcing the gauging of all foreign wines, and proclaiming the terms of the royal pardon for escaped felons. The next is the trial of Sir Rauf de Ferriers, on suspicion of having entered into a treasonable correspondence with Charles VI., and several influential persons in the kingdom of France<sup>d</sup>.

<sup>d</sup> An entry on the Issue roll of the Exchequer, gives the expense of seeking out a certain clerk, Ralph de Ferrers, in London, and bringing

him before the parliament at Northampton, there to answer concerning certain articles. 10s., (p. 215,) and in the succeeding year a payment of

Many letters so addressed, and sealed with his seal, had been picked up, and upon this supposition of his treachery the charge was founded. He underwent numerous examinations, and on all these occasions firmly declared his innocence. Yet at length he was recommitted to prison; and one Sir Thomas, parson of the church of Brington in the county of Northampton, and certain others who were intimately acquainted with him, and the poor mendicant who found the letters in question, together with the mayor of London to whom he had given them, were summoned to come before parliament for examination. It now turned out that the correspondence was a forgery of the mendicant's, who in his turn was consigned to prison, and Sir Rauf, who was the patron of the living, and Sir Thomas, the parson of Brington, were set at large. The third point that has struck me as curious, was the issue of a sumptuary writ from Westminster, a month before the parliament assembled, both to ensure the proper supply and to regulate the price of provisions betwixt that place

6*l.* 13*s.* 4*d.* was made to Nicholas Adam, the king's serjeant at arms, lately sent by the king's command from the town of Northampton, during the time the last parliament

was held there, to the priory of Durham, to place Sir Ralph de Ferrers under arrest at the said priory, and to cause him to appear at the said parliament.—*Id.*, p. 219.

and Northampton, when the representatives were on their journey thither, and writs of this nature were addressed in anticipation of their wants to the bailiffs of Barnet, St. Alban's, Dunstable, Woburn, Newport Pagnell and Stony Stratford.

The commons finally besought the king to confirm the great charter of liberties, the charter of the forest, the statutes ordained for peace, and the statutes of labourers, the statutes of false accusers, and all the other statutes and good laws; to lessen the grievous and insupportable burden of war, and to expend the present levies solely on the defence of the realm; and lastly, they prayed for relief from the payment of those large sums which had annually been taken by the pope from the English Church, and begged him to provide a remedy for such hateful exactions. And thus, having sat for thirty-two days, the parliament closed its latest deliberations within this town, deliberations of which it may be truly said, that we hardly know upon which to fix our highest praise, since they are alike distinguished by wisdom and moderation, by a jealous regard for the national honour and internal justice, and for breathing that unselfish and lofty spirit which is the truest test and safeguard of English freedom.

## CONSTABLES OF NORTHAMPTON CASTLE.

1175. Humphrey de Bohun<sup>e</sup>.

Simon de Pateshull.

1203. P. de Stokes, appointed constable and moneyer, in 1206<sup>f</sup>.

1206. Walter de Preston<sup>g</sup>.

1208. Robert de Braybroc<sup>h</sup>.

1215. Richard Marshall<sup>i</sup>.

1215. Roger de Neville<sup>k</sup>.

1216. Fulke de Breaute<sup>l</sup>. By writ the 2nd of May, and enforced by a second under the private and public seal on the 19th of the same month<sup>m</sup>.

1216. William Aindre<sup>n</sup>.

1253. John De Grey<sup>o</sup>.

1255. William de Insula<sup>p</sup>.

1278. Thomas de Ardern<sup>q</sup>.

<sup>e</sup> Rot. Pip. 20 Hen. II.

<sup>f</sup> Rot. Pat. p. 30.

<sup>g</sup> Id. p. 67.

<sup>h</sup> Id. p. 84.

<sup>i</sup> Id. p. 131.

<sup>k</sup> Id. p. 146.

<sup>l</sup> Id. p. 179.

<sup>m</sup> Id. p. 183.

<sup>n</sup> Rot. Claus. p. 267.

<sup>o</sup> Lit. Antiq. in Turr. Lond.

442 a.

<sup>p</sup> Rex commissit W. de Insula Castrum et Comita-

tum suum Norhamtoniæ, cum custodia Honoris Peverelli in eosdem Comitatu custodienda quamdiu Regi placuerit; et reddet pro proficuo Comitatus cxx.l. et custodiet Castrum ad custum suum proprium, et perficiet Corpus Comitatus, et habebit exitus prædicti honoris.—Memor. et Orig. 40 Hen. III.

<sup>q</sup> Abbr. Rot. Orig. p. 32.

1279. Robert le Band<sup>r</sup>.  
 1307. Pagan Tibetot. Justiciary of the Royal  
 Forests beyond the Trent, and constable<sup>s</sup>.  
 1307. Nicolas de Segrave<sup>t</sup>.  
 1315. John de Ashston<sup>u</sup>.  
 1316. John de Houby<sup>x</sup>.  
 1319. John de Whitelbury<sup>y</sup>.  
 1320. Ralph Basset of Drayton<sup>z</sup>.  
 — Richard de Lemesy<sup>a</sup>.  
 1323. John Daundelyn<sup>b</sup>.  
 1331. Thomas de Button<sup>c</sup>.  
 — William de Pillarton, vallet of the king's  
 buttery<sup>d</sup>.  
 — Eustace de Brunneby<sup>e</sup>.  
 1331. Thomas Wake of Blisworth<sup>f</sup>.  
 1333. William Lovel<sup>g</sup>.  
 1335. Thomas de Buckton<sup>h</sup>.  
 1257. Ralph Basset of Sapcote<sup>i</sup>.  
 1262. John Lovell of Titchmarsh<sup>j</sup>.  
 1263. John Grey of Wilton<sup>k</sup>.

<sup>r</sup> Id. p. 34.<sup>c</sup> Id. ii. p. 4.<sup>s</sup> Id. p. 154.<sup>d</sup> Id. p. 10.<sup>t</sup> Id. p. 157.<sup>e</sup> Id. p. 21.<sup>u</sup> Id. p. 222.<sup>f</sup> Id. p. 30.<sup>x</sup> Id. p. 233.<sup>g</sup> Id. p. 68.<sup>y</sup> Id. p. 252.<sup>h</sup> Id. p. 83.<sup>z</sup> Id. p. 255.<sup>i</sup> Dugdale's Baronetage, p.<sup>a</sup> Inq. ad Q. D., 16 Ed. II., 382.

No. 119.

<sup>j</sup> Id. p. 558.<sup>b</sup> Id. p. 278.<sup>k</sup> Id. p. 712.



1266. Alan Zouch of Ashby<sup>l</sup>.  
 1266. Reginald Grey of Wilton<sup>m</sup>.  
 1268.  
 1307. Nicholas Segrave<sup>n</sup>.  
 1307. Payn Tibetot<sup>o</sup>.  
 1320. Ralph Basset of Drayton<sup>p</sup>.  
 1363. Richard Wydeville<sup>q</sup>.  
 1370.  
 1380. John Wydeville<sup>r</sup>.  
 1405. Richard Wydeville<sup>s</sup>.

<sup>l</sup> Id. p. 689.

<sup>m</sup> Id. p. 713.

<sup>n</sup> Id. p. 675.

<sup>o</sup> Id. p. 39.

<sup>p</sup> Id. p. 380.

<sup>q</sup> Id. p. 230.

<sup>r</sup> Id. p. 230.

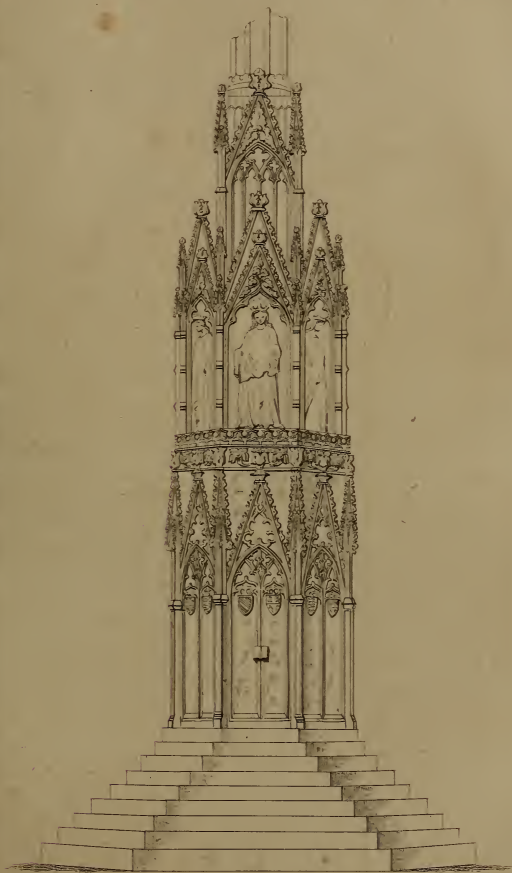
<sup>s</sup> Id. p. 230.

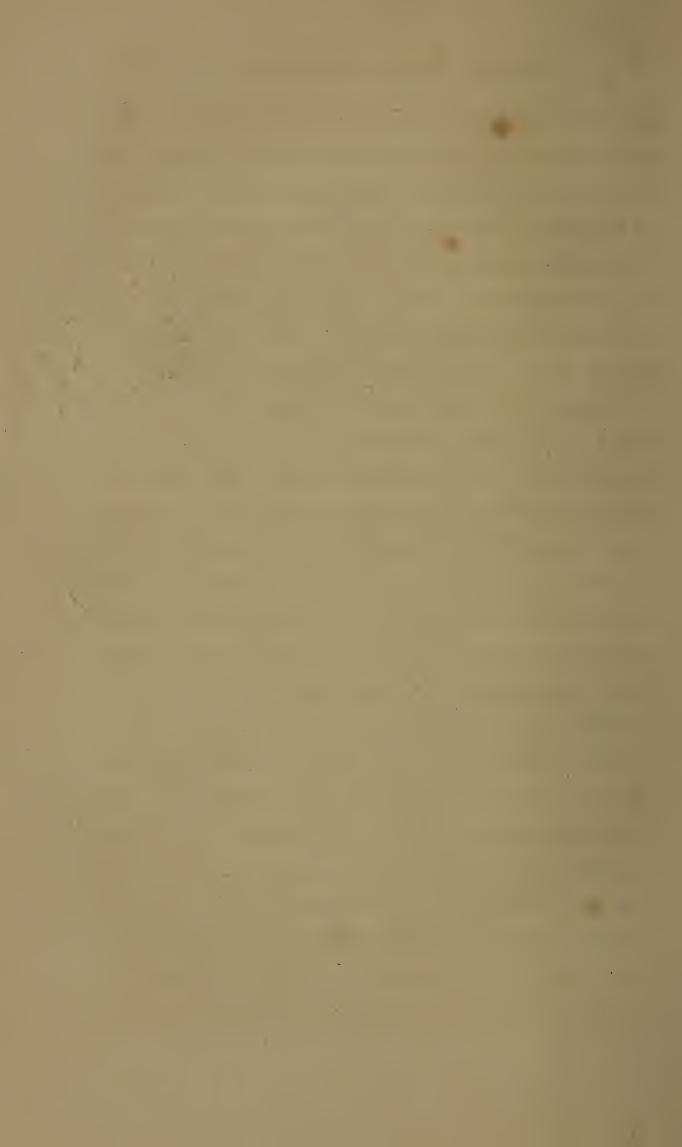


## QUEEN ELEANOR'S CROSS.



THE sepulchral monument to the memory of Queen Eleanor in the immediate vicinity of Northampton naturally demands that a section should be devoted to it in the present volume. This beautiful work stands on a well selected spot about a mile distant from the town, and is placed on an eminence partially hidden by a grove of silver beeches on the east, but exposed to the public road on the opposite side. It pleasantly overlooks the town, and being readily accessible by a carefully constructed causeway, (some portion of which as will be seen hereafter is coeval,) it becomes an object inducing frequent observation, even when persons are not led to examine it with a critical eye for its fair proportions and intrinsic merits as a work of architecture. It may however be doubted, whether or not the casual bystander as he casts his eyes over the verdant valley of the Nene beneath does not regard the cheerful landscape rather as





the mere background of the picture before him, and strives to concentrate his thoughts upon this object of human skill alone, viewing it as a labour of dignified conception, rich in the manifold variety of its ornaments, and tending by its purity of design to withdraw his thoughts from the moving scenes and agitation of life, to the tranquil meditation of the motive which inspired its erection.

There is in truth an inner sight given to the mind of man by which such creations are to be viewed, and in proportion as the sensibility is quickened he will find them exercising a power over the intellectual faculties; and our perception of external beauty, and the emotions awakened by the refined workings of our silent contemplation, will become blended with ideas that are devotional. Such monuments of art are however only thus influential where there is a general mental cultivation, or where long study of good models has predisposed the imagination for their reception. The half clad peasant whilst resting under the morning shadow cast by its foliated canopies, looks upwards and sees nothing but a well-wrought pile of stone, whilst a more trained eye, rising above mere material and its forms, perceives a work on which fancy has left the stamp of elegance and genius. Others,

unconsciously to themselves, led by nobler sensations, would detect a still more sacred charm mingling itself with their thoughts.

But any attempt to express the varied impulse which is given to the mind according to its susceptibility of pleasure, awe or admiration, must be tame and lifeless. Since to give appropriate utterance to those feelings to which the sight of Queen Eleanor's cross gives rise, we should become transformed into the architect who planned, or into the sculptor who carved her statues, or else seek to borrow the imagination of the designer, ere we can faithfully pourtray a monument so peculiarly chaste and impressive.

One of the most commonly known facts connected with the personal history of Edward the First, is his affectionate attachment to Eleanor of Navarre, and as few kings have left behind them so high a reputation for prudence and valor, so have none exceeded him in attachment and tenderness for their queen. No uncertain charm of endearment bound together these royal hearts ; no false lustre shone from their union. Whilst the active spirit of the monarch brings him more prominently forward than any of the Plantagenets, his virtues also lead us to bestow upon him more



unvarying regard. Nor is our interest in Eleanor lessened through the favourable light in which Edward himself is represented in history. There is unfortunately but little known of her personal character; that little is however associated with no equivocal reputation. She never, says one who has carefully studied the concluding period of her history, swerved from the position which fortune assigned her, nor failed to perform the gentle and peaceful duties which belonged to it.

In the year 1254 Edward celebrated his marriage at Burgos with Eleanor the daughter of Alphonso king of Castile. She did not immediately come over to England, the affairs of the sovereignty of Guienne, which had been quietly conceded by her brother, requiring her husband's attention, and it was not until the month of October, 1255, that she reached London, preceding him a month or more on his return home. The exigencies of Henry the Third were so pressing that he could only settle a small dowry on the new bride. A thousand pounds a year, arising from the rents of the castle of Grantham, and Tickill, with those of the village and castle of the Peak, was all her marriage portion<sup>t</sup>. Edward it is true now pos-

<sup>t</sup> Rymer, vol. i. p. 304.

sessed the territory of Guienne, but it is doubtful whether it produced any revenue. It must rather be considered therefore as the peaceful restoration of a long contested prize than as in reality the source of annual wealth<sup>u</sup>. He also had assigned to him nearly the whole of Ireland, the county of Chester, and his father's conquests on the Welsh borders<sup>x</sup>. Even, if received, these possessions were not calculated to bring in more than fifteen thousand marks, a trifling sum to support the dignity of a future successor to the throne. The prince might therefore have been led by other motives than merely military glory, or a zeal to drive the infidels from the holy sepulchre, when he subsequently espoused the cause of the crusades.

After the conclusion of the baronial wars, Edward received the cross from the hands of the papal legate, (1268,) and so intent was he upon this enterprise, that he mortgaged the revenues of Guienne for a term of seven years, to accomplish the object of his ambition. During the whole of this absence from England the princess attended him, and it is no wonder that love so unalterable and self denying should find a strong return from so generous hearted a king. The

<sup>u</sup> Rymer, vol. i. p. 297.

<sup>x</sup> Ibid.

breath of slander has been silent regarding this happy union, and there cannot be any reason for doubting that during a period of thirty-six years their lives were crowned with perpetual happiness. Such a course of unmixed felicity is far from being universal at any time, but at a period when the wildness of passion received but little reproof from the guardians of public virtue, this unusual exception to the general habits of licentiousness stands out in bright relief from the corruptions and profligacy of the age<sup>y</sup>.

We scarcely hear of Queen Eleanor after her return from the Holy Land. Historians speak

<sup>y</sup> As a proof of their domestic happiness we learn from a roll preserved in the Exchequer, that in 1286 Edward made her a new year's gift, of a cup of gold, weighing three marks and a half, worth twenty-three pounds, six shillings and eight-pence: and on the feast of the Circumcision he presented her a pitcher of gold, enamelled and set with precious stones, which was purchased of Wm. Farringdon, goldsmith of London. *Manners and Household Expenses of England*, p. lxix.

The same authority that

supplies me with this fact, states that during this union of thirty-six years they had never been separated, excepting for a few months while the prince was a prisoner in the hands of the earl of Leicester. The king's letter to the abbot of Clugny desiring prayers for the soul of her "whom living he loved dearly, and whom dead he shall never cease to love," shews the sincerity of his grief before he had commenced those beautiful memorials of affection which have placed it beyond suspicion.

of the magnificent ceremony displayed at her coronation, and then she disappears from the scene altogether, until within a few days before her death<sup>z</sup>. This event happened at the house of Richard de Weston, at Harby, in Nottinghamshire, on November 28, 1290. Her bowels were interred in the cathedral of Lincoln on the 2nd of December, and the king, who had set out from London with the intention of holding a Parliament at Clipstone, and of afterwards going to the North, now sorrowfully attended the remains of his lamented consort, returning by slow stages towards the metropolis. The account given by the annalist of Dunstable of the circumstances attending the arrival of the funeral train at his monastery, represents generally what occurred at every place where the procession halted<sup>a</sup>. After noticing

<sup>z</sup> On the 28th Oct. there is a payment of one mark to Henry of Montpellier, 'for syrup and other medicines purchased at Lincoln for the queen's use.' Master Leopard is also mentioned as her physician, to whom was bequeathed 20 marks by the queen's will. She also gave a cup worth 12 marks and a half to a doctor whom the

king of Arragon had sent over to her. *Ib.* lxxi. The Great Roll of the Pipe also mentions Master Simon the Surgeon, who might have been called in, as he received an annual fee of xv. *l.* for his services. (*Mag. Rot. Pip.* 13 Edw. I.)

<sup>a</sup> I take this in the language of the previous authority, as it would be difficult to represent the facts in

the death of the queen, he says, 'her body passed through our town, and rested one night. And two precious cloths, to wit, baudekyns, were given unto us. Of wax we had eighty pounds and more. And when the body of the said queen was departing from Dunstable, the bier rested in the centre of the market-place until the king's chancellor and the great men then and there present had marked a fitting place where they might afterwards erect, at the royal expense, a cross of wonderful size. Our prior being then present and sprinkling holy water.' Eleanor was buried at the feet of Henry the Third in Westminster Abbey, on the 10th of December, and on the 12th of the same month her heart was deposited in the church of the Black Friars, in London, where a chapel seems to have been afterwards constructed for its reception<sup>b</sup>.

The monuments of both Edward and Eleanor display a physiognomy entirely unmarked by any

a more simple and perspicuous manner, and I feel assured the reader will regret with myself that the valuable Introduction to Mr. Botfield's contribution to the Roxburgh Club is not more generally accessible.

<sup>b</sup> During the whole of the

ensuing month Edward lived in seclusion at Ashridge, and on the 4th of January caused a precept to be issued to the abbot of Clugny, ordering masses to be celebrated for the benefit of her soul. See the writ in Rymer, vol. i. p. 743.



Statues of Queen Eleanor from the

of those disagreeable features peculiar to the countenances of the haughty and vicious. There is nothing but dignity and thought, yet thought mingled with earnestness and penetration, depicted in the face of the monarch; nothing but serenity and gentleness of soul beams in the soft and resigned expression of his consort. This same feeling of gracefulness and repose is observable in all of Eleanor's statues, and was unquestionably the faithful reflexion of their reality. The rolls containing the expenditure of the executors to her will, account both for the excellence of the design





Monumental Cross at Northampton.

and the similarity of countenance which pervades all these representations, since there is an entry for bringing seven hundred and twenty-six pounds of wax from the house of Torel, who designed the effigy at Westminster; and from this it may be inferred that he made a model, from which in some instances he wrought himself, and as in the example of the figures on the cross near Northampton, employed Alexander of Abingdon, and William of Ireland, on the work. No account has been hitherto found of the expenses of erecting the cross at Geddington, but it may be suffi-

cient to state in corroboration of the preceding remarks, that the three figures of Eleanor upon this monument exhibit a similar cast of countenance to the others. There exists the same elegance of outline, and skilful arrangement of drapery, thus evidently shewing that all of them, with the four figures round the cross at Northampton, are copied from the same common original.

There need not indeed be any scruple in admitting it as a fact, that it was the prevalent custom of the artists during the middle ages to assimilate the countenances equally with the costume to that of the individual whose effigy they produced. The coins, the bronzes, and the busts of all antiquity, bespeak the same pervading intention, and it is inconsistent with the general analogy to suppose an artist would attempt the delineation of an object of this nature from the vagrant and uncontrolled creation of his own thoughts. He would scarcely attempt anything so unconsidered as to offer to sorrowing kindred a memorial bearing no kind of resemblance to the deceased, nor would they on the other hand set up an imaginary likeness of those who were embalmed in their fondest recollections. But we are moreover assured by a careful examination of a vast number of monumental effigies, that

each sculptor worked with the idea of personification, and that all his efforts had a 'realistic' tendency.

In observations upon another subject I have adduced a strong argument in support of this opinion, and I will now add a few remarks which since that time have lent their aid in confirming more strongly the presumption of monumental art being designed to pourtray and perpetuate the living image of the deceased. Thus as illustrative of the fact, the expression of Queen Eleanor's countenance is precisely the same in the effigy at Westminster Abbey, and in those of the two crosses already mentioned, which would scarcely have happened had the sculptor worked by his own unguided caprice. And thus too we find a repetition of similar features in prior Crauden's head on a boss in the cathedral of Ely, and though taken at a later period of life, on a hood-mould outside his own private chapel. Thus too are the very features of John Talbot, earl of Shrewsbury, and Margaret Beauchamp his wife, delineated by a contemporary hand on stone in the church of Goodrich, and in their portraits at Castle Ashby, and thus likewise when the tomb of the earl of Sunderland in Brington church was opened in the

year 1846, his hair being preserved, was found to be of the same colour in which it was represented on his bust. Again, the sepulchral effigy of Dr. Donne, now lying in the crypt of St. Paul's cathedral, is recorded to have been copied from the life. The bust of Shakespeare at Stratford was supposed by Chantrey to have been taken from a cast made of the poet's head after death, owing to the peculiar compression of the lips, which are the first part of the face to sink after animation has fled. The will of the countess of Warwick (1439) expressly states, "that my statue be made all naked, with my hair cast backwards, according to the design and model which Thomas Porchalion has for that purpose." All of these are instances which go a great way to prove the foregoing hypothesis, and owing to the extreme difficulty of aducing positive testimony in its support, they are entitled to careful consideration, before the notion is rejected. It would be extremely easy to advance arguments to the same effect, drawn from an extensive personal examination of different works of monumental art, but it may be more conclusive to rest the question upon the illustrations already given.

I have deemed it necessary to dwell with perhaps too much diffuseness on this point, from a de-

sire to excite attention to a subject which has hitherto received but little, but which, when investigated in a spirit of impartial criticism, may cause the study of monumental effigies to ally itself more closely with our sympathies, and lead us to consider these works not merely as capricious specimens of art, or worthless blocks of stone, only fit to be mutilated by the ruthless hands of ignorance, but as being in truth attempts towards carefully designed portraits, frequently the best which those respective ages were capable of producing, portraits of monarchs, and warriors, and statesmen, whose perishing and neglected memorials, equally with their fame, are consecrated to the protecting regard of all posterity. Viewing them under this impression, they immediately cease to be ideal; they become at once clothed with significancy, and appear in our eyes as connecting links betwixt the living and the dead. Thus will all these time-honoured heir-looms of early days possess as it were a vital enchantment: instead of being merely abstract, isolated and unintelligible relics of former toil, they will begin to speak to our feelings with an appropriate utterance, grow intimately woven with our departed ties of affinity, and become associated with our feelings of patriotism.

But little time appears to have been lost after Eleanor's funeral before the erection of crosses was commenced at the several spots at which her remains rested betwixt Harby and Westminster, since the payments on the first roll of the executors begin from the term of St. Michael in the nineteenth year of Edward's reign. The queen it is true was actually living at this precise time, but this heading is in accordance with the usual manner of drawing up these documents, the accounts being annually returned to the exchequer from this period of the year. Only two of the crosses still remain out of the number mentioned in the Record, namely, at Northampton and Waltham, for the one at Geddington is not even alluded to. Those at Lincoln, Stony Stratford, Woburn, Dunstable, St. Alban's, Cheap, and Charing, have entirely perished. The existence of crosses at Grantham and Stamford is at present only traditional.

John de Bello or de la Bataille was the architect of the crosses at Northampton, Stony Stratford, Woburn, Dunstable, and St. Alban's, and they were all built between the years 1291 and 1294. Alexander of Abingdon, and William of Ireland, were employed on the statues. The payments



being mixed up with sums owing for works upon other crosses, it is difficult to apportion the exact cost of the cross we have more immediately before us, and the entries are of so varied a character that it is equally so to throw them together in a regular classification. It will therefore be expedient to submit all the entries themselves in their natural order to the reader's attention, and then offer such remarks in illustration as they may suggest.

¶ Liberationes pro Regina consorte Regis, factæ per manus J. Bacun et R. de Kancia, de termino Sti. Michaelis, anno regni Regis Edwardi decimono nono finiente. Rotul. Prim.

Item, Roberto filio Henrici, burgensi de Northamptona, ad opera pavimenti ibidem. xx. li.

Item, Johanni de Bello, pro se (et) sociis suis, pro cruce Norhamtonæ faciendæ. xx. li.

Item, Henrico filio Roberti de Norhamtona, per manus Roberti de Middleton, pro pavimento ibidem faciundo. xl. marcæ.

Item, Johanni de Bello, in partem solutionis pro crucibus de Norhamtona et Sancto Albano, xl. marcæ.

Item, Roberto filio Henrici, de Norhamtona pro pavimento ibidem faciundo, xx. marcæ.

Item, Roberti filio Henrici, de Norhamtona,

pro pavimento ibidem, pro anima Reginæ, faciendo, xx. li.

Item, Johanni de Bello et Symoni de Pabeham, cimentariis, pro Crucibus de Norhamtona et Sancto Albano, faciendis, xxx. li.

Item, Johanni de Bello, pro factura Crucis de Norhamtona, xx. li.

\*Item, Roberto de Corf, (A) in partem solutionis pro iij. flecciis, iij. capitibus, et iij. agnis, de Mar-more, ad Cruces de Lincolnia, Norhamtona, et Wautham, v. marcæ.

Item, Johanni de Bello, in partem solutionis pro factura Crucium de Norhamtona et Sancto Albano, xl. marcæ.

Item, Willielmo de Hibernia, in partem solutionis xxv. marcas, pro quinque imaginibus faciendis ad crucem de Norhamtona, et alibi, v. marcæ.

Liberaciones pro Alianora quondam Regina Angliæ, &c. factæ post festum Sti. Michaelis, 20th Edw. I. Rot. Secund.

Inde liberaverunt Johanni de Bello pro factura Crucium de Norhamtona et Sancto Albano, xxx. li.

Item, Roberto de Corfe, per manus Willielmi de Blund fratris sue, in partem solutionis pro iij.

virgis, iij anulis, et iij capitibus pro Crucibus de Wautham, Norhamtona et Lincolnia, vij. marcæ.

Item, Johanni de Bello, per manus Johannis de Hunte, in partem solutionis, pro factura Crucium Norhamtona, Dunstaple et Stratforde, x. li.

Item, Willielmo Imaginatori, in partem solutionis xxv. li., pro factura imaginum ad Crucem de Norhamtona, virgæ, capitis et anuli, x. marcæ.

Item, Johanni de la Bataille, cimentario, in partem solutionis, pro factura Crucium de Sancto Albano, Woburne, Dunstaple, Stonistratford et Norhamtona, xl. li.

Item, Magistro Willielmo de Hibernia, in partem solutionis xxv. li., pro factura imaginum, virgæ, capitis, et anuli Crucis Norhamtona, v. marcæ.

Item, Magistro Willielmo de Hibernia in partem solutionis pro factura imaginum ad Crucem Norhamtona, x. marcæ.

Liberationes pro Regina, post Pascham, anno Regni Regis Edwardi xxi.

\*Item, Willielmo de Bernak, (B) cementario, pro cariagio quatuor imaginum ad Crucem Norhamtonæ, et pro cariagio capitis et lanceæ ejusdem Crucis, de Londonia usque Norhamtona, lxxiiij. s. iiij. d.

Item, Johanni de Bello, cementario, ad operationes Crucis de St. Albano, Donestaple, Wou-bourne, et Stonystratforde, et calceti de Norhamtona, xl. li.

\*Item, Magistro Willielmo de Hibernia, (C) cementario, in partem solutionis pro factura virgæ, capitis, anuli et imaginum Crucis Norhamtona, et etiam pro factura virgæ, capitis, et anuli Crucis Lincolnæ, iiij. li.

Item, Johanni de Bello, ad operationes calceti Norhamtonæ, c. s.

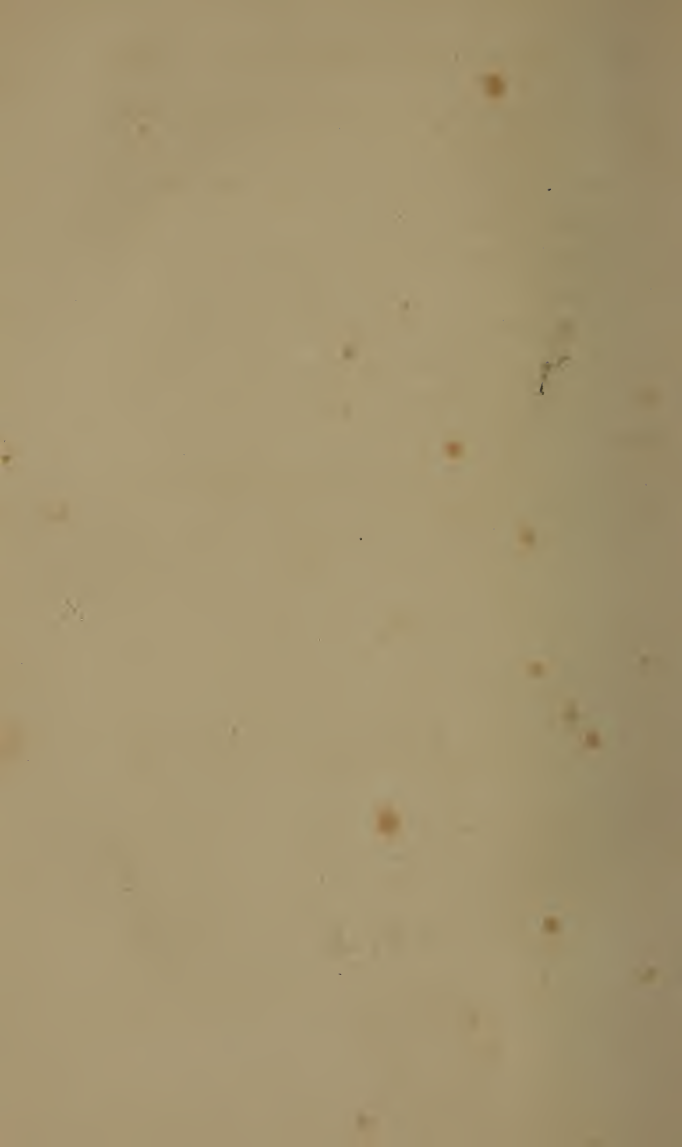
Liberationes factæ de denariis Dominæ Alianoræ Regina consortis de termino Sti. Michaelis 21. Edw. I. Rot. Tert.

Item, Magistro Willielmo de Hibernia in perpacationem pro factura virgæ, capitis, anuli et imaginum ad Crucem Norhamtona, et etiam pro factura virgæ, capitis, et anuli Crucis Lincolnæ, vi. marcæ.

Item, Johanni de Bello, in partem solutionis pro Crucibus de Sancto Albano, Dunstable, Woburne, Stonistratforde, et Norhamtona faciendis, lx. li.

\*Item, eisdem Johannis (D) in perpacationem pro mæremio ad Schaffoud ad Crucem Norhamtonæ,







et pro virga, capite, et imaginibus ejusdem Crucis ibidem assidendis, vi. li. iij. s. viij. d.

Item, eodem Johanni, ad operationes ca cet extra Norhamtonam, lx. s.

Liberationes pro Regina consorte, de termino Sti. Hillarii, anno regni Regis Edwardi xxii.

\*\*Item, Willielmo de Hibernia (E), in perpactionem xxv. marcæ, pro factura quinque imaginum ad Crucem de Norhamtona, per manum proprium, vi. li. iij. s. iiij. d.

Item, Johanni de Bello, cementario, ad operationes calceti de Norhamtona, x. li.

The earlier entries in the preceding extracts state the cost of the causeway, from the town to the cross, (a portion of which still remains in an integral condition,) to have been forty pounds and sixty marks. In the last item the work is said to have been executed for the benefit of Eleanor's soul; other disbursements were made towards it, but they are merged in sums for a different work. The most perplexing entries in the account are those of payments "pro flecchiis; pro cariagio capitis; et lanceæ; pro factura virgæ, et anuli<sup>c</sup>," terms purely architectural, the real application of

<sup>c</sup> The entries where these terms occur are marked by corresponding asterisks \*\*.

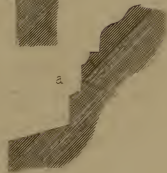
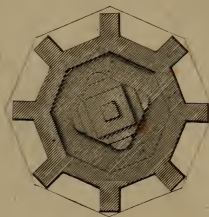
which can only be surmised. It has been conjectured by Professor Willis<sup>d</sup> that the shafts of pillars were sometimes called *verges*, and that in these entries we have a complete history of a kind of pillar which appears to be indifferently termed *virga*, *fleche*, *lancea*, which is made of Purbeck marble from Corfe, and is accompanied by a capital. The rough form seems to have been sent by Robert de Corf (A), conveyed to Northampton by William de Bernak (B), wrought and finished by John de Hibernia (C), and fixed in its place by John de Bello (D). Upon the former part of this conjecture I shall offer a few strictures which appear to me as a more consistent application of the passages involving the difficulty. The three *flechiae*<sup>e</sup> mentioned in the roll were most probably vanes, or arrows for the finials, (*capitibus*), which were supported by the verge (*virga*) or slender shaft which rises out of the body of the cross, and

<sup>d</sup> Architectural Nomenclature of the Middle Ages, p. 40.

<sup>e</sup> Lat. Barb. *Flecha*, sagitta. Fr. *Fleche*. The Clause rolls have a writ directed to the sheriff of Southampton ordering him to find "*fleccas* et pennas ad quarellum."—Rot.

Claus. 7 John, p. 56, b.

Ibidem pacavimus cuidam nuncio qui tulit vi. ligacias *flechiorum* de Lundon usque Colecestre per preceptum dñi Regis et qui tulit coria damarum et castaneas de Colecestre usque Lundon, v. d.—Rot. Mis. 14 John.





the *annulus*<sup>f</sup> might have been a gilded foliated coronal going round the uppermost canopy, under which it may be presumed there was the fifth image alluded to (E). Much speculation has been afloat respecting the way in which the head of this exquisite work was terminated. It may perhaps be sufficient to set curiosity entirely at rest, when it is stated that nothing has hitherto been discovered to determine this question. How the upper portion was finished can only be a mere matter of individual opinion. There can be no doubt there was another figure of some kind, because the rolls mention it, but to attempt any further restoration would be both unwarranted by authority, and highly injudicious. Enough has been done, and prudently done, to preserve Queen Eleanor's cross from destruction<sup>g</sup>. It is the fault of the present age to tamper with what is original,

<sup>f</sup> In an earlier entry it is spelt agnis instead of annulis. As we can only deal with words as we actually find them, this would imply that there was an Agnus Dei introduced among the decorations of the cross, as Professor Willis supposes, but it is difficult to reconcile this with the existence of the fourth image

(E); moreover such an ornament is so unfrequent in mediæval architecture that I cannot call to mind ever having seen it used.

<sup>g</sup> The reader will find an interesting paper by Mr. Hunter, on the death of Eleanor of Castile, and the honours paid to her memory, in the *Archæologia*, vol. xxix.

and introduce renovations unsanctioned by antiquity. People are much too busy in their desire to preserve the buildings of their forefathers, and more is to be feared from their ill-instructed zeal than from the progress of natural decay.





## THE RELIGIOUS HOUSES IN NORTHAMPTON.



THE various religious establishments in Northampton, the Cluniac priory of St. Andrew's, on the north side of the town, was by far the most important. The time of its foundation is uncertain, but there are sufficient reasons for concluding that if this order of monks was not actually introduced, their monastery was repaired and largely endowed in 1084, by Simon de St. Liz, earl of Northampton and Huntingdon. In conjunction with Maud his wife, this nobleman gave to it all the churches in the town, and various lands in Hardingstone, Hackleton, Brayfield, Ecton, and Yardley. Grimsbold endowed it with the church and tithe of Moulton, and Bowden: Otger with the tithe of Horton; Acard with the tithe of Spratton. There were many other early grants, which it will be unnecessary to enumerate, some of which were confirmed by David, king of Scotland, and again by Henry I. in the eighth of his reign,

and by Stephen. Henry I. bestowed upon it the church of St. Sepulchre<sup>a</sup>.

In the register of St. Andrew's preserved among the Cottonian manuscripts, it is thus described: Amongst the followers of William the Conqueror, who assisted him in obtaining possession of the

<sup>a</sup> Pro Priore et Monachis Sancti Andree Norhant. Rex eisdem archiepiscopis salutem Inspeximus cartam celebris memorie domini H. quondam regis Angliæ progenitoris nostri in hec verba. H. rex Angliæ et dux Normanniæ et Aquitaniæ et comes Andegavensis justiciariis vicecomitibus et ministris suis Anglie et Normanniæ et portum maris salutem. Precipio quod omnes res monachorum de Norhamtona quas servientes sui potuerint affidare suas esse proprias sint quieti de omni thelonio et tallagio et omni consuetudine et prohibeo ne quis eos super hoc disturbet injuste super x. libras forisfacti. Teste T. Cancellario apud Norhamt. Nos autem preceptum et prohibitionem predictam ratam habentes et quanta ea pro nobis et heredibus nostris quantum in nobis est dilectis nobis in Christo priori et

monachis Sancti Andree Norhant. et eorum successoribus concedimus et confirmamus sicut carta predictam rationabiliter testatur et prout iidem prior et monachi et predecessores sui libertatibus predictis hactenus rationabiliter usi sunt et gavis. Hiis testibus venerabilibus patribus I. Archiepiscopo Cantuariensis totius Angliæ primata Cancellario H. Lincolnensis episcopo Thesaurario nostris R. Dunolmenso episcopo Johanne Comite Cornubo fratre nostro carissimo Johanne de Warennâ comite Surreio. Thoma Wake Willelmi de Clynton et aliis. Dato per manum nostram apud villam Sancti Johannis primo die Julii per finem unius marce Norhant.—Inter Recorda Curriæ Cancellariæ in Turri London asservata.—Rot. Chart. 10 Edw. III.

kingdom, were two valiant brothers, Garner and Simon de Seynlyz, sons of Raundoel the rich. After the father's death, the eldest returned into France and succeeded to the paternal heritage, but Simon remained with the Conqueror in England. Soon afterwards one of the nobles, Waldelf or Waltheof, earl of Huntingdon, was convicted of treason and beheaded at Winchester, and leaving two daughters, William bestowed Maud the elder with all the honour of Huntingdon, upon Simon de Seynlyz. In the eighteenth year after the Conquest (1084) he founded the monastery of St. Andrew, and made it dependent upon the house of the blessed Maria de Caritate. In the reign of Henry I. he went to the Holy Land, and in returning died at Charitè, where he was buried. Henry had affianced Maud, the sister of Alexander king of Scotland, and David, and he gave Maud who was the widow of Simon de Seynlyz, to David, brother of this same monarch, together with the custody of the earl's heir. After his father he took the name of Simon de Seynlyz, and founded the abbey of the blessed Maria de Pratis<sup>b</sup>.

The confirmation of Hugh, bishop of Lincoln, of the various grants to St. Andrew's, is interesting

<sup>b</sup> E registro S. Andr.

from the fact of its having preserved amongst some of the existing churches, the names of others which are now destroyed. At this time there were the following belonging to the abbey: All Saints, St. Giles, St. Michael's, St. Sepulchre, St. Mary, St. Gregory, St. Peter, with the church of Thorpe and chapel of Upton, St. Edmund, St. Bartholomew, and the chapel of St. Thomas.

During the subordination of St. Andrew's to the Abbey de Caritate, the revenues of the convent, in time of war with France, were seized by the crown, and let out to farm at a hundred marks a year. But in the 1st of Hen. IV. they obtained leave to retain possession of the temporalities upon paying twenty shillings annually to the crown during his wars with France, being the pension (*apportus*) they paid abroad in time of peace to the monastery of Clugni on which they depended. In the 6th Edward IV. the priory was made denizen, and became discharged from all pensions due to the crown. By the survey taken of the revenues in 1535 they were rated at £263. 7s. 1½d. clear of all deductions, the gross income being £334 13s. 7d.

From a letter of Dr. Richard Layton to Lord Cromwell in 1538, it appears that the affairs of the

house were then in a very unprosperous state. He says: "At St. Androse in Northampton the Howse is in dett gretly, the lands solde and morgagede, the fermes let owte, and the rent recevide before hand for x, xv, xx yeres. Chauntreys fowndeth to be paide oute of the londs and gret bods off forfeitures therupon for non payment. The Howse is iiij. hundret pownds in revenewys, the king's foundation thus to be mangellede by the quondam. Jhane Petie, the prior, now is a bachelor of divinitie, a gret husbonde and a goode clerke, and petie hit is that ever he cam ther. If he were promotede to a better thyng, and the king's grace wolde take hit into his hands, so myght he recover all the lands agayne, which the prior shall never."

The same year the prior and convent acknowledged the royal supremacy, and surrendered the monastery into the king's hands.

Out of St. Andrew's monastery at Northampton, sprung a hospital at Kingsthorp, founded at the petition of Peter, son of Adam. Walter, one of the priors, established it in the thirteenth century, for the purpose of receiving pilgrims and poor, and under the care of a procurator, two chaplains, and six lay brothers, with the restriction of never having more than two altars, one in the chapel of the

Holy Trinity, another in the chapel of St. David, and only one cemetery for burying poor and strangers, and others dwelling at the same place. If, however, any one from the parishes belonging to St. Andrew's, whether ill or in good health, should choose to be buried there, or if they had expressed a desire to remain there perpetually, it was permitted to receive them in a secular habit as long as they should live, and then give them burial. It was further ordered that in the body of the principal chapel of the Holy Trinity there should be three kinds of beds joined together endways, on which the strangers, the poor, and the sick should be placed, so that they might by that means more conveniently be enabled to hear mass, and more devoutly attend to the prayers of the Church. At the Dissolution it was valued at £32. 4s. 2d. Some slight remains of the foundation in question still exist, converted into a blacksmith's shop.

Besides the priory of St. Andrew's, the Cluniacs had an establishment for nuns at De la Pre. This was founded in the reign of Stephen by Simon de St. Liz the younger, earl of Northampton. He endowed it with the churches of Barton, Dodington, and Fotheringhay, with possessions in Hard-



ingstone, and smaller benefactions in Ecton, Welcomb, Walebec, and Northampton. Robert de Chokes gave them the church of Wollaston : Hugh de Filgrave the church of Filgrave : Hamon the church of Fifhide : and Roger de Clare, earl of Hertford, the church of Broughton. It is unnecessary to enumerate all the other donations. They have been recounted in the Monasticon. When Edward III. visited Northampton (May 18) in the second year of his reign, he confirmed all their possessions. At the survey in the 26th of Hen. VIII., the clear annual revenue amounted to £119. 9s. 7¼d. At the time of the suppression the house consisted of ten nuns.

The abbey of St. James, on the extreme part of the western suburbs of the town, was founded to the honour of this apostle for Black Canons, by William Peverel, natural son of the Conqueror. As the founder died about the latter end of the year 1112, or the beginning of 1113, the monastery was probably commenced before that time. The ground allotted to the monks by William Peverel for their buildings was forty acres, to which he added the mill and church at Duston. Henry I., in the 5th year of his reign, (1104,) and

Henry II., in the 18th, (1172,) confirmed these donations, with additions. In the 52nd of Henry III., the monks obtained licence for a fair to be held at the convent on the eve of the festival of St. James, and the two following days. The fair continued to be held in the abbey grounds some time after the house was dissolved<sup>c</sup>.

In the 12th of Edward II. the abbot of St. James was summoned to a parliament held at York, but being infirm he appointed Henry de Blisworth, one of the canons of the monastery, as his proxy. Upon searching the rolls it appeared that the abbot of this convent had been called only once before to parliament, (49th Hen. III.,) having however never been enrolled, and holding nothing of the king in capite, or by barony, but in frank-almoigne; and as a parliamentary attendance would greatly impoverish the convent and monks, the chancellor permitted his name to be struck out of the Chancery register<sup>d</sup>.

At the survey the gross amount of the revenues was £213. 17s. 2½d. The site of the church-yard and church contains about two acres, and the abbey demesnes lie on both sides of the road leading to Banbury. Going down to the abbey is a causey

<sup>c</sup> Dugdale, Monast., vol. vi. p. 114.

<sup>d</sup> Ibid.

called Cut-throat-lane, with the old wall on the left<sup>e</sup>.

When the hospital of St. Leonard was founded it is impossible to ascertain: but the following charter from the municipal archives shews it to have existed in the reign of Henry II.

¶ Henricus dei gratia Rex Angliæ et Dux Normanniæ et Aquitaniæ et Comes Andegavensis Archiepiscopis, Episcopis Abbatibus, Archidiaconis, Decanis, Justiciariis, vicecomitibus et omnibus Ballivis et fidelibus suis totius Angliæ salutem. Percipio nobis quod custodiat et manu teneatis leprosis Sti. Leonardi de Norhamtona et nuncios eorum et omnes res suas ita quod nullam sit in aliquo injuriam faciat vel contumeliam nec fieri permittatis. Nec eos disturberis injuste vel disturberi permittatis de elemosinis suis habendis ab eis quæ eis gratis dare voluerint, et si quis eis super hoc in aliquo forisfacere presumpserit plenariam suam justiciam sive dilacione fieri faciat; teste Godefrido de . . oi apud Norhanton.

Moreover Gaufridus, son of the earl of Essex, granted to God and the hospital of St. Leonard at Northampton, and to the leprous serving God

<sup>e</sup> Dugdale, Monast., vol. vi. Northampton.  
p. 115, from Bridges, Hist. of

at that place, for the soul of King Henry, and for the soul of King Richard, and for the soul of King John, and for his own soul, and that of Beatrice his wife, and all his ancestors and successors, in pure and perpetual alms, the issues of twenty shillings, which he had bought from Henry the son of Hugh, in Northampton. To wit, the issues of five shillings and four capons from the tenements of Hugh de Plompton, and the issues of thirty-two pence and two capons, and two hens, from the tenement of Richard, and the issues of eight shillings from a certain shop in the market ring. (*in rengo mercatorum.*)

As this deed is written in a hand belonging to the very end of the 12th, or commencement of the 13th century, the Geoffrey earl of Essex who makes the grant, must have been either the Gaufridus who married Beatrix de Say, a family who had made a grant to the Cluniac foundation of Wenlock, or else one of those twenty barons who were appointed to enforce the observance of Magna Charta. Another form of compellation is "to God, the blessed Mary, and the infirm brethren and sisters of the house of St. Leonard, at Northampton, there serving God." Milo de Bello campo also granted six acres of land in the field

of Wotton, to the poor brethren and sisters of the hospital of St. Leonard.

The Friars Minors, not long after their coming into England, (1224,) endeavoured to form a settlement in Northampton, and hired first a habitation in the parish of St. Giles, but afterwards fixed northwards of the Market Place, where they had the largest and best house of all the Friars in Northampton, built upon ground given them by the town<sup>f</sup>.

The Friars Preachers had a house in the Horse Market, and were settled there before 1240<sup>g</sup>.

Simon Montfort and Thomas Chitwood founded a priory of Carmelites, or White Friars, in 1271.

The hospital near the south gate, dedicated to St. John the Baptist, was founded by Walter, archdeacon of Northampton, in 1137, for the benefit of poor and infirm persons. The patronage, vested in the bishop of Lincoln, still continues in his hands. It is the only monastic building of which any traces are now discernible.

Opposite to this hospital of St. John, John

<sup>f</sup> Humphry, duke of Buckingham, killed in the battle of Northampton, 38 Hen. VI., is said to have been buried here; others who fell in this conflict

were interred at St. John's Hospital.—Tanner, *Notitia*, p. 385.

<sup>g</sup> *Ibid.*, p. 386.

Longvile, in 1322, founded a priory for the use of Augustine Friars, and gave them a messuage, with the appurtenances, upon which they might build a chapel and monastery.

Besides these there was also the hospital of St. Thomas, near the south gate<sup>h</sup>, and the gilds or religious fraternities of St. Mary<sup>i</sup> in the chapel of St. Mary, and the Holy Trinity<sup>k</sup>, both within the church of All Saints; the gild of Corpus Christi<sup>i</sup>, of St. John the Baptist<sup>i</sup>, of St. George<sup>l</sup>, St. Cross<sup>l</sup>, and of St. Catherine the Virgin<sup>m</sup> in the church of

<sup>h</sup> Grene's will, 1460, among the municipal archives.

<sup>i</sup> Amongst the gild certificates, 12 Richard II., apud Turrim.

<sup>k</sup> Municipal archives.

<sup>l</sup> Rot. Pat., 38 Hen. VI., p. 2. m. 1.

<sup>m</sup> The following certificate of St. Catherine's gild, will serve as a fair example of all the others.

Northampton. Reverendo in Christo patri ac domino, domino Thomæ permissione divina Eboracensi archiepiscopo Angliæ primati et illustrissimi Regis Angliæ Cancellario Johannes Glasier et Philippus William Custodes

cujusdam pauperculæ fraternitatis Sanctæ Katerinæ Virginis in Ecclesiæ Beatæ Mariæ Villæ Northamptonæ Omnimodas reverentias tanto pastori debitas cum honore.

Virtute cujusdam brevis domini nostri Regis vicecomiti Northampton in hoc casu directi et in villa Northampton proclamati, modum, tempus et formam inceptionis gubernationis et continuationis dictæ fraternitatis, vestræ dominationi reverendæ tenore præsentium declaramus prout prædictum breve exigit et requirit. Villa Northampton est antiquus burgus domini Regis et talem habet consuetudinem a toto



St. Mary, besides the fraternity of St. Clement in the church of St. Giles.

tempore quo non extat memoria usitatam hactenus et approbatam, quod omnes ejusdem villæ burgenses in ultima voluntate sua libere et sine impedimento possint legare terras tenementa redditus et servitia quæ habent ex acquisitionibus suis quibuscumque personis voluerint tam regularibus quam secularibus et etiam tam ecclesiis altaribus et luminariis quam alibi ad inveniendum Capellanos vel aliquod aliud servitium divinum pro animabus suis vel antecessorum suorum faciendum. Et ista consuetudo ibidem continue usitata et approbata existit. Reverendæ insuper dominationi vestræ intimamus quod anno regni Regis Edwardi avi domini nostri regis nunc vicesimo primo ex devotione quorundam Burgensium villæ Northampton, ad laudem et honorem Dei Omnipotentis gloriosæ Virginis Mariæ Omnium Sanctorum et Beatæ Katerinæ Virginis et Martyris primitus extitit ordinatum, quod iidem Burgenses ex mera eorum devotione et con-

tributione unum capellanum ydoneum in ecclesia prædicta divina celebraturum continue haberent: orando principaliter pro salubri statu, pace et tranquillitate domini nostri Regis Angliæ reginæ procerum et magnatum ejusdem et omnium benefactorum suorum et contribuentium in hac parte, et quod idem capellanus omnibus diebus dominicis et festis ad altam missam et omnes horas canonicas in auxilium personæ ecclesiæ prælibatæ propter exilitatem ejusdem et majoris divini servitii ac devotionis incrementum personaliter interesset in ecclesia supradicta. Et post modum crescente devotione fidelium, quidam alii burgenses ejusdem villæ hujusmodi devotioni sic inchoatæ seipsis coadjutores et contributarios voluntarios substituebant, illam devotionem pro posse eorundem sustentandam fide sua media promittentes. Et modo consimili unum alium capellanum in dicta ecclesia pro salubri statu pace et tranquillitate prænotatis divina cotidie celebratu-

This is as full an outline of the religious houses and fraternities established in the town, as

rum providebant. Et ita per capellanos prædictos divinum servitium in honore Sanctæ Katerinæ sit et augmentatur in ecclesia prælibata, ubi prius propter exilitatem personæ ejusdem erat multotiens prætermisum. Et sic per contributionem prædictam fraternitas Sanctæ Katerinæ primitus nominabatur. Deinde iidem burgenses ampliorum in hac parte devotionem habentes, vespas in vigilia matutinas horas canonicas et altam missam annuatim in festo Sanctæ Katerinæ Virginis in ecclesia præfixa cum nota et maxima Solempnitate Capellanorum et clericorum qua fieri poterit ad laudem et honorem Dei et ipsius Virginis et Martyris Sanctæ Katerinæ dici fieri et celebrari venerabiliter ordinarunt. Ad quas quidem missam et horas canonicas audiendas fratres devotionis prædictæ ob reverentiam illius festi de una secta vestiti concurrunt, preces et orationes suas devote fundentes pro salubri statu et benefactoribus suis prædictis, etiam post offertorium

missæ offerentes et ibidem consistentes quousque magna missa illius dici fuerit consummata. Et sic solent eodem die omnes adinvicem manducare sumptibus propriis cujuslibet eorundem. Et convenientibus illis eodem die ad vespas, et vespas finitis, Placebo et Dirige, ac Missa de Requiem in Crastino pro animabus benefactorum suorum et fidelium defunctorum, dictis fratribus in orationibus suis ibidem interessentibus cum nota dicuntur. Et insuper finita Missa de Requiem in Crastino, omnes fratres prædicti ad audiendum compositum custodum ejusdem fraternitatis et ad alios duos custodes pro anno futuro eligendos insimul consistent, ut eis videatur quod devotio suæ prædicta in omnibus sustentetur. Expirante quoque finaliter quocumque fratrum prædictorum corpus ipsius defuncti per reliquos fratres suos prout decet ecclesiasticæ traditur sepulturæ et quilibet eorum unam missam de Requiem sumptibus suis propriis eodem die pro salute animæ

is compatible with the nature of the present volume. Minuter accounts of some of the original

ipsius defuncti facit devotius celebrari. Et sic nullo alio modo fiunt sacramenta liberationes convivia congregationes vel assemblationes quæcumque in fraternitate prædicta, nec habent aliqua privilegia libertates usus vel consuetudines ultra formam prænotatam neque habent aliqua terras tenementa redditus vel servitia mortificata vel non mortificata nec habent cartas domini nostri Regis vel progenitorum suorum. Set dicimus quod Ricardus Sadeler Robertus Spicer et alii seisiti fuerunt in feodo simplici de tenementis et redditibus in Norhampton quæ valent per annum in omnibus exitibus £7. 13. 4. et aliquando minus per defectu tenentium. Et præfati Ricardus Sadeler Robertus Spicer et alii dederunt et concesserunt per feoffamentum suum Philippo Porter, Johanni Belzetter, Willielmo Whelewright, Johanni Aubray et aliis omnia tenementa et redditus supradicta cum suis pertinentiis habenda et tenenda eis hæredibus et assignatis eorum imperpetuum,

de capitalibus dominis feodorum illorum per servitia inde debita et de jure consueta, ea intentione ad disponendum exitus et proficua inde annuatim provenientia in sustentationem servitii et devotionis supradictorum. Et quod cessante dicta fraternitate, vel servitio et devotione prædictis alio modo subtractis, bene liceat prædictis feoffatis hæredibus et assignatis eorum omnia tenementa et redditus præscripta cum suis pertinentiis dare vendere legare vel assignare quibuscumque voluerint in salutem animarum suarum ac primorum donatorum feoffantium antecessorum suorum et omnium fidelium defunctorum. Nulla vero bona seu catalla remanent in manibus nostris seu aliorum quorumcumque ad usum dictæ fraternitatis præter meremium de novo emptum pro emendatione tenementorum prædictorum quod valet decem solidos. Et hæc est forma inceptionis gubernationis regiminis et continuationis fraternitatis supradictæ. Data Northampton sub sigil-

endowments have been already given by Brydges, to which the more inquisitive reader is referred for facts that have now merely an antiquarian interest<sup>n</sup>.

There is however another document omitted by him which it is desirable to transfer to the notes, in an entire state, that the real nature of the college founded in Northampton may be clearly understood. There can be no doubt that the settlement of scholars here in the reign of Henry III., was essentially a scholastic institution. The incorporation at this later period, was however of an ecclesiastical kind, founded (at the request of William Breton, vicar of All Saints) under letters patent from the crown, and consolidating the various guilds already mentioned. They were thus placed under the government of a custos and sixteen priests (*parsonarum*), and this corporate body enabled to purchase lands and tenements to the value of twenty marcs. These letters were granted on condition that the college prayed for

lis nostris xviii. die Mensis  
Januarii Anno regni regis  
Ricardi Secundi post conquestum  
duodecimo.—Miscellaneous  
Rolls, apud Turrim, No.  
308.

have been omitted by him, being information inaccessible at the period when he wrote his history of the county, have been dwelt upon with sufficient prolixity.

<sup>n</sup> The points however which

the souls of Margaret of Anjou, and Edward of Westminster, together with the king himself when he died. From this foundation the present College-street takes its name°.

° De Collegio fundando. Rex omnibus ad quos &c. Salutem. Sciatis quod nos ex pia devotione et devota intentione Magistri Willielmi Breton sacræ paginæ professoris Vicarii perpetui Ecclesiæ parochialis Omnium Sanctorum in villa nostra Northampton intellexisse quod divinum servitium tam per ipsum Vicarium et Capellanos Fraternitatum Sanctæ Trinitatis Sanctæ Mariæ virginis, Corporis Christi, Sancti Georgii Sanctæ Crucis Sancti Johannis Baptistæ et Sanctæ Katerinæ Virginis in Villa prædicta quam per plures alios presbiteros Stipendiarios ibidem ad numerum quandoque sexdecim parsonarum vel ultra ad laudem et gloriam Dei Omnipotentis et gloriosissimæ Virginis Mariæ Matris Domini nostri Jesu Christi ac Omnium Sanctorum in eadem Ecclesia cotidie digne et laudabiliter more collegiali temporibus tam nunc ipsius Vicarii ac presbi-

terorum prædictorum quam prædecessorum suorum per tempus non modicum continuatum extitit, ac Deo dante de die in diem continuatur et continuabitur et augmentetur in futurum. Et quod ipsi Vicarius et presbiteri non solum in Ecclesia prædicta prout convenit, sed etiam in quodam mesuagio sive fundo eidem Vicario et Sacerdotibus Fraternitatum prædictarum et successoribus suis pertinente et spectante le Prestis house vulgariter nuncupato, a consortio laicorum moram suam insimul tam per diem quam per noctem honeste ut consortes collegiales diversa ordinationes lectiones et statuta collegialiter conservantes continue ibidem maxime tamen tempore dicti Vicarii traxerunt et trahunt in præsentis, unde idem Vicarius nobis humiliter supplicavit ut de ipso Vicario et presbiteris prædictis et eorum successoribus quoddam Collegium perpetuum in Ecclesia



Within a very short distance of the hospital of St. John, is a large dilapidated building with

prædicta de uno Custode et sociis suis facere creare fundare et stabilire perpetue ad nostram complacentiam dignemur. Nos digna consideratione præmissorum supplicationi ipsius Vicarii in hac parte favorabiliter inclinati volentes quod ea quæ ad culmen et augmentationem tam divini cultus quam honestatis Clericalis habentur et utuntur multipliciter quantum in nobis est augmentari et sublimari ad laudem gloriam et honorem Sanctissimæ et individuae Trinitatis Patris et Filii et Spiritus Sancti ac beatissimæ Virginis Mariæ prædictæ et Omnium Sanctorum de gratia nostra speciali facimus creamus fundamus et stabilimus per præsentem unum Collegium perpetuum in dicta Ecclesia parochiali Omnium Sanctorum in Villa nostra Northampton ac in mesuagio sive fundo prædicto perpetuis temporibus in futurum ibidem duraturum de dicto Vicario et presbiteris fraternitatum prædictarum et eorum successoribus Vicariis et presbiteris fraternitatum

illarum pro tempore existentibus necnon de quibuscumque aliis presbiteris qui per prædictos Vicarium et presbiteros fraternitatum prædictarum et eorum successores pro tempore existentes in Collegium illud in socios nominandi eligendi et admitteendi in posterum erunt, volumus et concedimus per præsentem quod prædictus Wilhelmus Breton et successores sui Vicarii Ecclesiæ prædictæ pro perpetuo sint et nominentur Vicarii et Custodes Collegii illius et quod idem Vicarius et successores sui ac presbiteri fraternitatum et successores sui necnon omnes alii presbiteri ut prædictum est eligendi sint unum corpus perpetuum et per nomen Custodis et sociorum Collegii Omnium Sanctorum in villa Northampton in omnibus et singulis Curiis et placeis nostris et hæædum nostrorum ac aliis Curiis quibuscumque in omnibus et singulis materiis actionibus placitis et querelis realibus personalibus et mixtis Collegium prædictum aliquo modo in futurum tan-



modern windows, and late additions, but which, when examined within, shews indisputable marks

gentibus per ipsos vel contra ipsos in posterum movendis implacitare et implacitari possint. Et quod prædictus Vicarius et Custos Collegii prædicti et successores sui in augmentationem beneficii sui et presbyteri prædicti Consortes et eorum successores Collegii prædicti in subsidium reparationis prædicti loci et relevamen eorundem pariter possint perquirere sibi et successoribus suis in perpetuum terras tenementa redditus et servitia quæ de nobis non tenentur per servitium militare ad valorem viginti marcarum per annum ultra reprisas absque aliquo fine proinde et absque aliquo feodo pro hiis Litteris nostris patentibus in Cancellaria nostra aut in Hanaperio ejusdem nobis faciendo vel quovismodo solvendo. Statuto de terris et tenementis ad manum mortuam non ponendis et aliis Statutis ordinationibus actibus provisionibus restrictionibus aut materiis quibuscumque non obstantibus. Dum tamen per Inquisitionem in hac parte capiendam

et in Cancellariam nostram vel hæredum nostrorum rite retornandam compertum sit quod id fieri possit ab damno seu prejudicio nostro, aliorum quorumcumque, aliquibus Statutis ordinationibus actibus provisionibus restrictionibus aut aliis materiis quibuscumque in contrarium factis non obstantibus. Concessimus ulterius et licentiam dedimus per præsentis pro nobis et hæredibus nostris præfatis Vicario Custodi et sociis prædictis et successoribus suis quod ipsi auctoritatem ac plenam potestatem habeant ad statuta et ordinationes intra se facienda ad divina pro divino servitio et bonis moribus observandis et malis moribus extirpandis per ipsos pro bono statu nostro et carissimæ Consortis nostræ Margaretæ Reginæ Angliæ ac Edwardi principis filii nostri Carissimi dum vixerimus et animabus nostris cum ab hac luce migraverimus et animabus omnium fidelium defunctorum celebranda necnon ad alia Statuta et ordinationes pro bono et honore

of belonging to a time as early as the reign of John or Henry III. This is sufficiently apparent from the banded cylindrical shaft in a narrow pointed window on the first floor on the south side. The old timber roof is also remarkable, which presents features at the first glance very similar to those met with in the forms and mouldings of Early English architecture. Had the king-posts been simply cylindrical instead of being octagonally chamfered, its claims to belonging to this early date might have passed undisputed, aided too as they are by the barrel-shaped vaulting of the roof, but the existence of straight tie-beams would seem to militate against the antiquity of this portion. It is not improbable that these might have been inserted at a later period, for instance, when the Tudor panelling of the ceiling beneath them was added. Without, however, doing more than mentioning these as the points by which the age of the timber-work must be decided, it is enough to have called attention to an extremely curious and but little known specimen of domestic

Collegii prædicti de tempore  
in tempus facienda. In cujus  
&c. Teste Rege apud West-  
monasterium xij. die Martii,

per breve de privato sigillo et  
de data &c.—Patent 38 Hen.  
VI., p. 2. m. 1,

architecture. Conjecture alone can now assign the building to its primitive intention. The Domus Regia in Northampton has already been spoken of in extracts from the Pipe rolls, as well as the Larderium; it might have been either of these, or, what is perhaps more near the truth, the residence of the master of St. John's hospital, especially as it is contiguous to it, and now belongs to that eleemosynary establishment.

From an inquisition made by the precept of Edw. I., in the third year of his reign, we learn the following particulars respecting the town at this precise period.

That the county of Rutland was formerly in the hands of the king, and belonged to the castle and county of Northampton, but that at this time it was in the hands of Edward, earl of Cornwall. Amongst the religious houses and their proprietors, there is mention made of the Prior and Convent of St. Andrew; the Master and Hospital of the Holy Trinity; the Friars Preachers; the Friars Minors; and again, 28 Edw. I., the Friars of Mount Carmel; the Chapel of St. Martin, where the Prior and Convent of St. Andrew were bound to support at their own cost, a chauntry for the souls of the kings of England; the Master

and Hospital of St. John. In the 16th of Edw. II. the Augustines were established<sup>p</sup>. Protection granted to the Prior of the Hermit Brothers, 36 Edw. III., and to the Fraternity of the Holy Rood in the Wall, 12 Edw. IV.

The streets and places enumerated in the time of Edw. I., are, Krakeboll street; the Drapery, Derne street; Derne gate; Salstrete; Nonnes well; Cougate; Gyselgot road.

The Knights Templar first occur on the Pipe rolls in the 2nd year of the reign of Henry II.; we gather from the following words, that the order was just constituted. "Et In Elemosinis noviter constitutis Militibus de Templo j. marca argenti," and the same payment continues annually down to the 50th of Hen. III. In a similar way there occurs a fixed annual payment of xx. shillings to the monks of the town, commencing the 31st of Hen. I., and continuing to a very late period.

<sup>p</sup> See other concessions, Edw. III.  
Calend. Rot. Pat., 4 and 11

## THE MINT.



ENTRIES on the Great Roll of the Pipe, shew that in the 27th of Henry II., (1181,) the privilege of minting was first granted to the town of Northampton, for which the moneyers paid annually into the exchequer sixty shillings<sup>a</sup>. In this way the right went on uninterruptedly until the 1st of Richard I., after which period the entries vary in this mode of contributing to the crown revenue. There were several other places in England where

<sup>a</sup> Item Vicecomes reddat Computum de lx. s. de fabrica Monetariorum de Norhamtona de hoc anno, et de xxx. s. de eadem fabrica de dimidio anno. In thesauro liberaverunt in ii. talliagiis. Et quietus est.—Mag. Rot. Pip., 28 Hen. II.

Homines de Norhamtona xxx. s. de exitu fabrice mone-

tariorum.—Mag. Rot. Pip., 17 John.

Homines Norhamton li. li. de exitu fabrice monetariorum de plurimis annis præteritis. Mag. Rot. Pip., 55 Hen. III.

Homines Norhampton li. li. de exitu fabrice Monetariorum de plurimis annis præteritis.—Mag. Rot. Pip., 2 Edw. I.

mints were thus established, and persons employed on the coinage of the realm. These officers were denominated moneyers, (*monetarii*,) assayers, (*examinatores monetæ*,) and keepers of the dies, (*custodes cuneorum*,) all of whom were under the control and supervision of the chief justiciary, or the treasurer and barons of the exchequer. The different modes of making payments into the exchequer, by *pensum*, *blanc*, and *tale*, or *numerus*, have been already described, as well as the methods by which the royal farms or rents were discharged. Sometimes the revenue received its dues in military service, in socage, in provisions, or in necessities for the royal household: sometimes in entertainment, in horses, dogs, or hawks. The money, if *blanc*, was weighed, and if in *tale* it was tried at the exchequer, (*combustione*,) and the deficiency in either case made up by the public debtor.

Athelstane in his ordinances had directed (924—941) that there should be but one money over all the king's dominion, and that if any man minted out of the assigned jurisdiction, the hand should be struck off with which he wrought the offence, and be set up on the money smithy: but if it were an accusation, and he was willing to clear himself, then he might go to the hot iron



and clear the hand wherewith he was charged to have done the fraud<sup>r</sup>. Northampton is one of the ten places where money was at this time allowed to be coined. The laws of Edgar<sup>s</sup>, (959—975,) of Ethelred<sup>t</sup>, (978—1016,) and of Canute, (1017—1035,) declare the same uniformity. Northampton had in fact two mints in the tenth century<sup>u</sup>.

These laws might have been relaxed even during these early periods, as they certainly were later, since the Saxon monarchs derived no inconsiderable portion of their revenue from the coinage of their kingdom. Thus Athelstane gave the cities of London, Canterbury, Winchester, Exeter, and Chichester, the privilege of minting, as well as the boroughs of Lewes, Hastings, Wareham, Shaftesbury, and Northampton, but undoubtedly they derived income from it, reserving the right, and retaining the dies in their own hands, and of course fixing a price, most frequently an arbitrary one, upon the issue. Thus they were tempted to renew their money, to call it in, melt it down, and send it forth for circulation greatly depreciated. This

<sup>r</sup> Ancient Laws and Institutes, p. 207.

<sup>s</sup> Ibid., p. 269.

<sup>t</sup> Ibid., p. 323.

<sup>u</sup> Ibid., p. 208.

fraudulent tampering with the coinage has always been the practice of uncivilized and dishonest governments. Gustavus the IIIrd. reduced the standard of Sweden to a discount of fifty per cent., and in the Ottoman empire the same system has perpetually endured to our own day. In England the rate of exchange in the time of Henry VII. was ruinous, and English subjects refused the current coin of the realm. One of the chief motives for summoning the parliament at Westminster, 25 Edw. III., was to prevent the exportation of English coin, and the introduction of Lusseburghs, or money of false assay<sup>x</sup>. The chief object of all the early statutes of the realm relating to this subject seems to have been the prevention of clipping, or of the introduction of counterfeit money from the continent, it never being surmised that the circulating medium would be depreciated in England. These are, however, topics which hardly fall within the scope of the present enquiry, and must be dismissed without the investigation they invite.

Resuming the subject in which we are more immediately interested, it appears that in the 7th of John, Peter de Stokes gave sixty marcs for the

<sup>x</sup> Rot. Parl. ii. pp. 225, 239.

privilege of having a mint and four dies at Northampton<sup>y</sup>, and two years afterwards writs were issued to the moneyers, assayers, and keepers of the dies at Northampton, as well as other places, directing them by letters patent to appear at Westminster to receive there the royal command, and to bring their dies sealed up with their seals, and to summon all the workers of money to appear there at the same time<sup>z</sup>.

Specimens of the money thus coined at the provincial mints, from being so often renewed, became extremely scarce, but Ruding speaks of it as being known by the letters NOR, NORT, NORHAM, &c., which are stamped on the face. The tradesmen's tokens of the place, belonging to a much later period, are better known, and more easily obtainable.

<sup>y</sup> Peter de Stokes dat sexaginta marcas pro habendis iiii. cuneis apud Norhamton et cambio ibidem a Nativitate S<sup>ti</sup>. Johannis Baptistæ anno regni Regis septimo in unum annum. Et mandatum est Reginaldo de Cornhill quod

cuneos illos ei habere faciat, et quod cambium illud eum habere permittat. Mandatum est etiam Willielmo filio Othonis quod cuneos illos ei habere faciat.—Rot. de Finibus, 7 John.

<sup>z</sup> Rot. Pat., 9 John, m. 5.

## THE FIRE.



CONNECTED with the history of Northampton, is a calamity which befel it in the seventeenth century, that has been described in so interesting and vivid a manner by an eye-witness, that the incorporation of his narrative into the present volume, will be the best method of presenting the account to the reader. It appears to be written by a clergyman in the neighbourhood, and the scarceness of the volume will be sufficient apology for its reprint<sup>a</sup>.

<sup>a</sup> The State of Northampton from the beginning of the Fire, Sept. 20th, 1675, to Nov. 5th. Represented in a Letter to a friend in London; and now recommended to all well disposed persons, in order to Christian charity, and speedy relief for the said

distressed town and people. By a Country Minister. Licensed, Nov. 22, 1675. Roger L'estrang. London, printed for Jonathan Robinson, at the Golden Lion in St. Paul's Churchyard, and William Cockeraine, Bookseller in Northampton, 1675. 4to.

SIR, If I had not expected a true and full account of the beginning and progress of the dreadful fire at Northampton, as also of the losses, state, and relief of that distressed people, from a faithful and able hand, I should have laboured to have prepared this, such as it is, sooner for your satisfaction. I do not pretend to inform you with every circumstance and accident, that is not to be looked for; because I know none that had so much leisure from their own or other men's concerns, as to observe and trace the motions of that terrible element, which was that day carried up and down upon the wings of a strong and violent wind. And indeed, I find in mine own diligent inquiry, even of understanding men, that it is as impossible for a man who employs all his endeavours to save his own goods and life in one part of a street, to tell me when and in what house the fire broke out in another place distant from him, as it is for a soldier, whose life is engaged in a narrow particular station, to relate what was out of his sight, done in every wing, in every regiment, troop or company, much more in every rank and file of the whole army, at once engaged and spread over all the field, as this fire was spread over the body, and all parts of the town. The all-seeing eye of the Lord of these

mighty hosts of fire and wind, can give an exact and perfect story of every particular action of that fatal day. No one man can, nor many men apart, because they were not in every place, nor observed all things, but as each one gives in his observation, which must be gathered together to make a story, so it must be taken up. And this I assure you, that I gathered these following passages, as well as I was able, and from persons as able to inform me, and as distinctly related, as can be expected from persons under the disorders of care, fear, and amazement at the same time.

That I may represent Northampton in its ruins, it may not be amiss to present the figure and situation of it as it stood and flourished ; because some may peruse these lines, that knew it not, and the better conceive the course of the fire, which I shall shew you, and the great alteration of it, from a beautiful town, to pits and rubbish. Northampton might well contend with the best inland city or town, that is not seated upon a navigable river, for sweet and wholesome air, pleasantness of situation, plenty and cheapness of corn and butchers' meat, good ancient buildings, dry and commodious cellarages, broad and cleanly streets, a spacious market-hill, fine and profitable gardens and orchards, within the walls (while it was beautified and honoured



with their standing.) The prospect of it was very delightful from Queen's-cross, which stands upon a hill in London road, within a mile distance from it. You come down from that cross to a bottom, called Cotton-end, and from thence, passing a fair stone bridge over the river Nen or Nine, you entered the town on a flat, till you come within the south-gate, and thence keeping the northern road, you went out at the north-gate, overcoming three ascents. The first in the Bridge-street, as somewhat steep, but was made easy by the diverting sight of good buildings on either hand, and a neat front on the top of that street. You might observe the town divided into east and west; to the west-gate through the Gold-street by St. Peter's church, to the east-gate fetching a little compass by All-Hallows' church, through Abingdon-street near St. Giles's church. From the top of the first ascent, leaving on the right hand that great and well-built church, All-Hallows, the chief in the town, you come into the Drapery, a broad, and for the most part a well-built street, and finely fronted with graceful houses; on the right-hand of which, was one of the best open market-places in England. This second ascent was more easy and leisurely than the former, and turning a little on the left hand, you went through

the Sheep-street, up a moderate ascent to the north-gate, having St. Sepulchre's church on the right hand. By this description of the town, you imagine that it stood on a side of a hill, facing the south sun, and that the middle and lowest part was sheltered from the north wind: that it was divided into four quarters, had four great gates, east, west, north, and south, and had a church in every quarter, only All-Hallows stood southward, and near the heart of the town. The civil division of it was into five wards, distinguished from the four winds or quarters, and the fifth was the chequer-ward in the middle.

And now I may say what, and more than the men of Jericho said to Elisha; "The situation is pleasant, but the water is naught and the ground barren." Northampton was beautiful for the situation, the water good, and the ground about it rich. It stood above the river, which ran in the south, beating on both sides upon very rich meadow down quite to Peterborough: and at which gate soever you went out, you went out of a sweet town into a rich and noble champaign<sup>b</sup>.

But now (alas!) the glory and beauty of it is more than scorched with fire, it is vanished into

<sup>b</sup> In the original, champion.

smoke. The great and goodly church is become its own sepulchre, and the cellars the graves and pits into which the best contrived dwellings are tumbled and hurried. It was a city upon a hill, but now God hath turned it into a burning beacon, to give warning to towns and cities of judgments that may suddenly invade them, and break in upon them, except they receive and obey His laws, and cease to provoke Him by their tolerated disobedience. God began with London, is come as far as Northampton to execute His judgments; who knows whither He will ride next in a burning chariot, and where He will make an end? were those citizens and these townsmen sinners above all men? "I tell you nay, but except you repent," &c. Have not you your sins also! yea, London sins as rife as fashions! nothing hath happened to them but what may be common to you, whenever God's forbearance is come up to an end. The heart of London, and the heart of Northampton, were burnt out in the same month: who can secure themselves till September come about again from the same, or as great a judgment, if you slight these warnings?

God who hath set the bounds of our habitations, hath set down with Himself the term of our possession of them. Every man hath his appointed time,

which takes in means and ways of coming to his stated period ; so have societies and corporations of men their appointed times ; a time to grow, and a time to decay, (they are subject to consumptions and fevers ;) thus strong and high they shall grow in numbers of men, and prosperity ; thus long they shall continue, and no longer. And what time soever God speaks concerning a nation, a city, a palace, yea, a cottage, to pluck up and pull down ; He speaks to the fire, Burn, to the wind, Blow, and carry it whither I will : here it shall take, there burn, and here it shall stop.

The utmost term that God would grant for Northampton to continue as it was, was the twentieth day of September, 1675. Hundreds of inhabitants were turned out of their houses, upon a little or no warning at all. To some the sovereign Lord would not grant so much as leave to remove their goods off His ground ; not so much as a bed to lie on, or a garment to shift them, not a stool to sit on, nor a dish to eat in. To others He was pleased to allow a few hours (of terror and distraction) to remove and begone ; but He would not be entreated to give His dearest servants, not another day, not that night, no not that afternoon.

God called for a strong west wind to be ready at

His command, to carry a dreadful fire whither He would have it. The unhappy instrument of that destruction was said to be an infamous and common woman, who lived in the end of St. Mary's-street, next the castle (in the west.) The manner thus, (as I am informed upon the place;) she had something boiling on a fire, and left the fire carelessly, and went to the next house; when she had been there a little while, she said to her companion, I shall go and fetch my child, and in a moment, finding her house on fire, it seems took up her bastard, and ran out, and away, crying, I shall be hanged, I shall be hanged. She is not yet returned, nor found, to tell us what she did. That street was full upon the wind, far from help, and the principal part of the town, which was to be the theatre of judgment, and consisted of the poorer sort of houses, thatched with straw, fit matter to kindle a consuming fire.

The fire brake out about half an hour past eleven, came on directly to the back part of the Horse-market, strengthening itself with ricks of corn and maltings, it spread out its wing to the south, and lower end of that market. The hideous cry of Fire, fire, came up post to town: but when some heard it was so far off, and in meaner dwellings, they

made the lighter of it, and others hoped it might spend itself and go out, in a large cherry-ground, and other orchards in the way.

All-Hallows' bells jangled their last and doleful knell, presently after the chimes had gone twelve in a more pleasant tune : and soon after the wind, which did fly swifter than horsemen, carried the fire near the Dern-gate, at least half a mile from the place where it began, and into St. Giles's-street in the east, and consumed every house therein, save one (formerly a gate-house) whose end-walls were higher than the roof, and by them preserved. When some that were strong and active saw the streams of fire driven before an impetuous wind, seeing that nothing was like to stand before it, they made all haste to shift for themselves, and to save their goods. All hands and arms were full, all busy in laying out, and mislaying what they shall never see again. Some active men did labour all they could to save some houses ; but what could be done in such a sudden surprise ? when so many places were on fire at once, and so many timber buildings were as fuel dried, and laid in for this dreadful fire.

Some that consider not the confounding circumstances that people were under, have been apt to cast upon them the blame of despair and negligence :



but they must be silent, when they believe upon the word of all I spake with, that all that is burnt was irresistibly gone in three hours' time ; although I know that every house was not burnt in that time, for some few did not begin to burn till six o'clock at night, but it was too strong to be withstood, and past hope of being saved by that time. Had it been a leisurely fire, proceeding in order of houses and streets, then buckets might have quenched the thirst of a dry and greedy element ; then one house might have been blown up in sacrifice, to have saved a street : but this fire would have scorned an engine, nothing less than the opening of windows in heaven could have quenched its rage. Houses were casually blown up by barrels of powder, laid up for sale, but the fire kept up its fury and its way for all that. To talk now of engines, and blowing up of houses, are but suppositions, which could not then preserve a house any more than now rebuild one. We may as wisely say, had it rained all that day, the town might have been saved from burning.

Distracted people ! how busy were they in emptying out their goods, labouring to be beforehand with the swift destroyer, that came upon some of them before their fears had notice of it. The fire

was fled over the town, but did not forget what it had to do, and therefore brake over the spacious planted grounds, seized upon the College-lane, and finding there great quantities of oil and tallow, and other combustible matter, brake upon the back-side of the Drapery in a little time. Some threw their goods into their cellars; there or no where; some into the church, (that had more time and leisure than the former,) in which they were consumed with it; others into the church-yard, and were there turned to ashes. The spacious Market-hill was covered with all sorts of wares and goods; these the affrighted owners were forced to leave one among another, when they were enclosed with a wall of fire, and only one little door of escape left them to run out at, by Dr. Danvers' house, the only house that stands in all that row, having no neighbour-dwelling to bear it company, nor out-offices to serve its necessities, they being burnt, and itself hardly preserved. Some had better help, better conveniencies of orchards and closes than others had; some more time than others, or else the loss had been vastly greater. And although the fire spoiled and consumed many goods,—it spared neither cross nor pump, nor timber drawn into the Market-place for the sessions-house,—yet what the fire

spared in that and other places, cruel thieves, that come in to spoil the spoiled, were more merciless than a merciless fire. May the stolen sugars, fruit, spices, linen, clothes, bedding, or whatever else these men of prey took by fraud, be bitter, hot, cold, and uneasy to them, till they have eased their consciences of so great a guilt. But divine justice will take a course with them, in a more dreadful day than that was, except they repent, restore, give satisfaction, or be forgiven.

Sir, I know you can understand without my telling you, that this miserable people were loath to leave their convenient and comfortable dwellings, but more loath to lose their wares and goods ; but they were forced to leave the one to a fire that would have them ; and at last forced to leave both house, and shop, and goods, to save their lives. Give me leave to try, if I can make you sensible of their condition, in a dull and misty and cold representation of it : for a lively image I cannot draw, because my bosom cannot hold their passions, nor my pen weep out their tears. No words can report the cries, fears, dangers, distractions, carefulness, and amazedness of young and old, that doleful day. Oh ! the roaring of fire and wind, what a thunder in the air ! what clouds of smoke !

what tearing cracks of timber! ancient couples, beams and walls, keeping close to one another till forced to part, suffering themselves to be burnt inch by inch before they could be separated! But what were these to the more sensible outcries of a people decreed to ruin? If you will carry wind and flames and burning houses up and down to shew them, then, and not before, will I undertake to relate what a distracted multitude thought, spake, and did, who could not tell what to think, speak, or do, that might prove successful. There were old men and women, children and infants, women lying-in, others full of the small-pox, (which had been much in town,) mothers that gave suck. What could this helpless multitude do? whither could they creep or run? The consuming fire itself brought certain news that it was coming. The fire and wind cried Fire, and did drown the people's cries, and the hideous sound of bells. Oh the confusion of language, thoughts, and actions of a surprised people! how quiet and secure were they but a little while before? Some were calling upon God, sanctifying themselves and all they had, committing themselves and their affairs to Him; some preparing their goods for London, others ready to sit down to dinner, and behold a cry, Fire, fire:

clouds of smoke, pillars and sheets of fire covering the face of heaven ! fire in the west, that had left but few houses or pieces to stand ; fire in the east, that carried all before it, and in every quarter, and the body of the town hemmed in with fire ; and the stately tower of the great church turned into a chimney sucking and drawing up the fire and smoke from within it, and discharging them out again in a mighty body. What a sight was this to have pleased a Nero ? or such as must be Roman, or think they are not Christian ?

What a change was here by five, by four, yea, by three and two of the clock ? how long are many hands in rearing and adorning one house ? Northampton was raised to its late perfection at the expense of many generations, one adding to another ; but if the great God speak to the fire, Burn, and to the wind, Blow it, a few hours are time enough to demolish it ; how terrible is God in His judgments ? how impossible is it for me to feel myself in the condition of a people banished, *ab aris et focis*, turned out of doors, and as it were excommunicated their Church ? but whither were they gone ? into the fields, and whither else they could, some one way, and some another. Great was the care of people over little ones, and such as could not well

escape themselves ; and the waky providence had disposed of them in safety, though they knew not where to find one another. When the worst was come, the wife's jointure, and the child's portion, and the estate which was wont to maintain them, was exhausted that expensive day : how hastily did they weave up and down, making inquiries after one another ; some wanting words to tell you who they sought for, and others at the same loss to tell them tidings ! how they looked and wrung their hands they themselves cannot tell us now. What rest could parents take that night, missing their children ? some had wandered into neighbouring villages, where they had never been before, and were not heard of till next day. Who can conceive the sadness till they found out their relations ? and when they met, who can express the joy that they were alive ? although many had not left them wherewith to refresh them, feed them, clothe them, or wherein to lodge that night. But God remembered mercy ! the gentry who were preserved in the town, and near it, and others to their power, turned their houses into inns and hospitals and warehouses, to refresh and comfort their distressed neighbours. And now after that God had smoked them out, He was pleased to hive them in, many



families crowded into one house ; and eating that little the fire had left of their stocks, till the compassionate neighbourhood could send in provisions. And now having followed them from their own, into strange and uneasy lodgings, I shut up my discourse, and lead you to view the condition of that ruined town as it was found next day.

Sir, had you seen the dreadful fire that night, you might have guessed what a place you were like to find it next morning ; but really, I could not have imagined it to be so soon reduced so unlike itself ! next morning you might have seen the late dwellers come to see what was left them. Oh ! how strangely were they changed ! poor frightened, tired and amazed men, how were their faces changed ! they looked as if they had come from under-ground, out of mines and coal-pits. They looked not only like men that had lost their rest, but spent with cares and fasting, scorched with heat, and broken with distractions ! dirty faces, scalded eyes, and their eye-lashes hung with mortar made of tears and dust blown into them. In the afternoon you might see neither town or townsmen scarce, but ruins instead of orderly piles and streets, and strangers come in to view them. The inhabit-

ants were gone, some to search suspicious houses for lost goods, others to get together some ends of something that was left, or to seek out new lodging for their afflicted families; others watching their goods, till help could come to carry them away. Very few could tell me what was left, besides their lives, and a charge to maintain.

The first observation I made, was upon the behaviour of men, and I found them apt to tears, sensible of the hand of God, calm, and thankful for their lives.

My next observation was upon the ruins, and when I have said all I can say of them, it is this, that they were ruins. Nothing standing above the cellars that was combustible, which was not either burnt or burning down to ashes. No timber left, from great beams, even to cheeks of doors and lintels. When God compared His people to an useless vine—"Behold it is cast into the fire for fuel, the fire devoureth both the ends of it, and the midst of it is burnt: is it meet for any work?" Even so did He use hundreds of houses, and the best in the principal streets of Northampton: I hope He will deal graciously with the men, and make them a fruitful vine, having pruned and purged them. What was to be seen above ground,

but a few fronts of stone, partition walls, and chimneys? If you had no sense but eyes, you might think them to be ruins of an ancient date, but other senses would persuade you they were but new, the walls and streets being glowing hot, &c. And this was noted to them on Michaelmas day (when the mayor and magistrates, as many as had a gown, were in a colour suitable to their present condition, and not former state), that the upper lintels were not left for the cormorant and bittern to lodge in. Zeph. ii.

And for several reasons, they who saw that fire whose epithet is, The Dreadful Fire of London! and this, do say, this was the more furious and destructive in its proportion.

Thus, Sir, in general, you may believe the fire and losses were very great: but if you will give me leave, I will shew you what made both so great. First, the former years being bad for carriage, and fuel dear, they were almost out of stock, till this good summer came, and great plenty, at moderate rates. This was a time to provide for this and another winter. It was one part of the providence of Northampton men to lay in something towards a wet and dear time, in a good summer. They were crammed full; and now what was laid up for

future time was consumed in one day, before they had tamed their heaps.

Secondly, as the town was full of fuel, so tradesmen were full of goods. They had newly furnished themselves with the commodities of Sturbridge fair. Besides that, some had taken the advantage of the cheapness of all sorts of wares and goods, and of carriage, and laid out as far as their stocks would reach, in hopes of a stirring market: and many, if not all or most, had stored themselves for their winter trade. And as the shopkeeper could not be fuller, so neither the innkeeper, nor husbandman: and such as laid in their crops for malt were very full; and none had any time to make returns. From this consideration some may readily infer, that others that gave them credit must lose, or hazard with them. This is not unlikely. But it will be found that the loss is heavy upon them alone, and apart. For, 1. As few of them traded upon credit, as any town can be found to do. 2. Their trade was but a home trade, (I except the shoemaker and hosier,) and wary and prudent men could guess at the compass of it, and their prudence told them that the more credit they had, the less profit they made. 3. As few men failed and broke in Northampton, as in any town of its

dimensions, (and consequently as few lost by dealing with them.) A good argument of their dexterity, in ordering comparatively a small trade, to live so decently and plentifully as they did. 4. Many of them had plentiful estates in houses, that brought in good rent, and many lived in their own, whereby their losses fall heavily upon themselves: but the wise God thought no less enough.

Thirdly, The instrumental causes of this sad desolation, were the dryness of the weather, the violence of the wind, which was a swift chariot for the all-subduing fire; and it is to be noted, that God planted (pardon the impropriety) the wind to blow up the heart of the town, to which St. Mary's-street stood level. And of that vehement wind, it is to be observed, beside that it whirled the fire at its pleasure up and down; that it did also beat down the smoke, and raise up the dust, which was a great discouragement of all endeavours to save the town, and afflicted people! They had dust to blind them, smoke to stifle them, and fire that singed and scorched them as they passed up and down. Sometimes it gave some hopes of sparing, by turning two points north, (as one scholar tells me,) but dashed all again, by veering to the west. Another ingenious observer (who took care to save

a neighbour's house near his own) tells me that the fire fell upon the thatch, struck upon it, took it and danced for six minutes at least, and by a sudden turn the wind carried it away, and with a little labour the house escaped.

Sir, if I have been too large in generals, I will reward your patience, by giving you satisfaction in the following particulars.

1. The greatness of the loss, as given in. 2. The number of houses totally destroyed. 3. The influence of this loss. 4. The relief. 5. The disposal of it. Conclude with some few remarks.

1. The loss, as given in, amounts to one hundred two thousand and eight pounds odd money, besides the church, &c., to the value of about fifty thousand pound; a vast loss, if we consider how long an inland town, that hath no manufacture in it, that drives none of the quickest trades, is growing up, and how long they must needs be in regaining some part of it. To lose the product of twenty or thirty years' care and pains, both what was left them, and added by them, is a very great affliction. But the Lord gave before He took away. Hereby many in the middle part of their lives, or the very latter end of their days, are sent back to begin the world anew, or driven to end it in a low estate.



It may be an injury to others that some few are suspected to give in their losses with a cipher perhaps too much : if there be any such, I heartily wish they would blot it out, lest such a cipher eat out the figure : but again, it is verily thought, that others have been very scrupulous and sparing. If men cannot be disproved, we ought to suspend our censures.

2. The number of houses totally consumed, beside outhouses, &c., is about 600, wherein above 700 families did dwell. And these monuments of sparing mercy stand in the four quarters of the town, as the arms and legs drawn out in torture, cut off from the body ; and it is as great a wonder that here and there a house should escape, as that the rest should be brought to ruin in so short a time. Some few houses remain near the church, and only one tenement in the Drapery, from the street, hardly seen to the street at this time. The chief church in town only burnt, the rest untouched.

3. The influence and effects of this sweeping judgment fall upon many beside the immediate sufferers. 1. Upon the poor, which stood All-Hallows' parish in ten pound the month, the roll would have been raised to eleven pound this winter. But now the poor are multiplied, who, since the

fire fell into their quarters (poor creatures) lay within the walls to the open heavens (till now of late), except such as got into churches. Thither the fire forced them, whither God's commands, nor mercy, nor exhortations could invite them. A judgment fitted to the sin, a judgment all voice, as in other instances.

Secondly, the citizens will lose their customers, the countryman will lose his market, and the landlord must fall his rent, if Northampton be not relieved : yea, more, many a man must go further to seek for an honest man to teach his child a trade ; and many a one will want a service, that cannot well be kept and maintained at home.

4. The relief was considerable, as it was seasonable to this impoverished people. Many have told me, they found tender mercy and compassion, and that they found more friends than ever they thought they had. The goodness of God and men was admired. The kindness of a night's lodging, of a small benevolence was magnified. The noble earl of Northampton, who came that fatal evening to see the fire, was affected with the sight, and sent great store of provisions the next day. Many other persons of quality, neighbour towns, and villages, were very forward and generous. The bold

and raking poor had a glut, but the modest house-keeper looked pale and thin, till necessity overcame their modesty, and then they were respected.

The mayor sent messengers with letters to entreat the noblemen and gentlemen to meet in the Town Hall, to take their distressed condition into consideration. There appeared the Saturday following the dreadful fire, the right honourable the earl of Northampton, recorder of the town: three lords, Sir Richard Rainsford, one of the judges of the King's Bench. Seven or eight baronets and knights, and many justices of the peace and gentlemen. The meeting was principally managed by the earl. The result of all their discourses, was a subscription to two papers, to this purpose.

"We the noblemen and gentlemen do promise to pay the several sums set down over against our names," &c. The one was towards the re-building of the town, and the other was for the payment of Dr. Conant's salary, (which was 100*l.* per annum,) and for the relief of the poor, and other uses of the town.

They named Robert Haslerig, William Tate, Henry Edmonds, Richard Rainsford, Esquires, receivers and treasurers.

Several sums were gathered speedily, upon the

news of the dreadful fire, in several corporations, by the university of Cambridge, and already gathered, but not received, by the university of Oxon, towns, villages, and private persons: all which come to about £3000.

These several sums of money were paid into the hands of Robert Haslerig, Esq., living in town; who with the other gentlemen's consent, made a very seasonable distribution of a great sum among the sufferers, wherein they had a respect to their losses, to their trades, and to their conditions and disability to go on. This was a timely assistance given men, that were hard put to it to strike up sheds and shops, and to take in some winter provisions. In this distribution they designed to preserve the road, to bring in the market, to set trade on foot, to help the inferior tradesmen. Besides, they took order to lay in a great stock of coal, to be served out to the inhabitants at their need in the approaching winter. They disbursed money to the officers of the parish to pay their poor. And lastly, they have, and are fitting up houses for the poor to live in, who had nothing left but bare walls without a roof.

The care, and pains, and tenderness of these worthy gentlemen deserve the grateful acknowledg-

ment of the distressed sufferers ; and indeed they seem to me to have a humble sense of the mercy and favour.

I have been the more punctual in these things, as to rectify the reports of vast sums said to be flowing in, and besides many other reasons, to encourage liberal souls to generous acts of charity, when they see the treasury so well dispensed ; both deposited into, and disposed by the hands of persons of quality, estate, and integrity.

There was about sixty pound sent from several persons of quality, and others, to Dr. Conant, which was carefully distributed, according to the intention of the donors.

The forward and noble beneficence of particular persons, and the kind and Christian expression of love made by corporations and villages to Northampton brought low, though but a small beginning to a great many, (nor the whole exceeding the loss of some one or two men,) hath raised the minds of many, so that there is hope in Northampton ; but yet there are many discouragements, that threaten the life of it in some, and keep it from being overjoyful in the most cheerful temper.

Besides these kindnesses from men, there are some eminent providences which have brought

kind remembrances from heaven, to a people under a displeasure. The first is, that this calamity is fallen upon them in a year of plenty. Had it fallen upon them in one of the years past, many that were glad of a piece of bread, must have perished for want of bread. London fire consumed it, after a plague, in a time of war, the nation under taxes : Northampton hath the odds in this, that she is fallen, when a nation may the better raise her up.

The second sweet and reviving providence is, that second summer which God was pleased to give us ; He said to an approaching winter, Keep off awhile. He hath given a midsummer-time after Michaelmas. He said to the sun, Shine thou still.

What a mercy hath this been to poor Northampton ! by the favour of the weather abundance of coal came in, (even as far as Wedgbury, above forty miles,) and as cheap as in summer. A dreadful fire had done enough to starve them, consuming their stacks and heaps ; but the sun continuing in its strength relieved them, by bringing firing to them, which I hope will be better spent. What the fire destroyed the sun restored. Thus God doth correct and take into His arms ! justice and fury made quick riddance, but mercy made



haste after them. Through the goodness of the season all sorts of materials for buildings came whistling in, (the carter meeting with no ruts nor sloughs to put him out of tune.) Yea, deals came down from London at as low or lower rates than country ash. By this means workmen came in, go on, not being beaten off with weather.

By this means raw walls, new-sawn and unseasoned boards, have been aired and seasoned: by this means full markets have come in, and the market-man hath not felt the inconvenience of a bad standing for himself and horses.

And lastly, by this means Northampton is brought up a little above its ruins, and her new buildings to imitate Bartholomew fair. And in this posture I shall leave it, praying heartily, that God would speak to Northampton, It shall be built; and take pleasure in the now distressed people, and their posterity.

And now Sir there remains but the last part of this trouble, and I will relieve your patience by a conclusion, namely some observations upon, or rather drawn from this severe but righteous providence, which speaks to other places with a loud voice.

1. It hath pleased God to strike at all con-

ditions of persons, and all the sins of the town. He hath in great mercy passed over the houses of many of the gentry, who lived there for their own pleasure or conveniency, which hath proved a great relief to many of the distressed neighbours, but many of that quality do also bear their share of loss and trouble: I desire not to be critical or censorious. God took in all together, the righteous and the wicked fare alike, though for different ends: it hath happened to the good, to make them better, with a gracious design no doubt: and to the wicked God saith, "Why will you die?" He stretcheth out His hand to them; but if they turn not "He hath whet His sword," &c. The long-suffering of God, which waited but till the flood, doth wait for their repentance after the fire. O that they would fly from wrath to come! There were and are in Northampton "good figs, very good:" (such as obey "every ordinance of man for the Lord's sake, whether the king as supreme," &c. Such as "feared God and wrought righteousness.") But as the good figs were to go to captivity, so now these shall pass through a burning furnace. And there were very naughty figs, "evil, very evil, that cannot be eaten." And so much the worse, because God came long expecting fruit, having

long been a husbandman to it, and more especially to that parish that is almost totally destroyed. God hath diminished two other parishes, (St. Peter's, "is it not a little one?" is spared entire,) there was iniquity in those skirts: but why God should stretch out His hand with a flaming sword over All-Hallows more than others, I can give no other reason, but that of the prophet; "You have I known of all the families of the earth, therefore will I punish you for your iniquities." They have been better taught than others, and made the chief parish in town. God sent to them prophets, and wise men, and scribes, He hath been a reprovcr of them all. Few parishes perhaps (I am sure I know but few) that have had such labourers as they for five successions. Security, luke-warmness, and bearing them that are evil, are the sins that God took worse from magistrates and people, than from other towns. How hath the Spirit of God striven with them, and within this year? They know the occasion. And fools that make a mock of sin may now believe that God can be in earnest. —O Lord, laugh not at their calamity, who have set at nought Thy counsel, and would none of Thy reproof; and let them not be as dross in the furnace.—

2. God hath dealt with Northampton in this fire, mixing mercy with judgment, as in other providences: here is mercy and judgment, patience and fury. "How shall I give thee up, Ephraim?" &c. He hath made their houses like Admah; but to the people He saith, "yet how shall I give thee up?" Some that were fallen into fellowship with gross works of darkness, and a long time of languishing and repentance, and gave signs of it, discovered and warned others. But their companions went on. How then? have some escaped? What execution hath God done in the face of the world, in open streets? Night-walking, boldness in sin, swearing and drunkenness punished in open streets by sudden death. "Remember Lot's wife." Remember S's, F's, O's wife. There was mercy, and here judgment. Of consorts and companions, that grind in the same mill of sin, "one shall be taken, and another left."

3. From the unhappy hand that kindled this dreadful fire, I observe that they who escape deserved punishments, may be justly made the unhappy instruments of punishing those that should have been justly severe with them. And it may give notice to magistrates, to look after the skirts, the back lanes of their towns, that iniquity lodge

not there.—The cages of unclean birds may bring whole towns to ruin.

4. It is marvellous that a fire breaking out at noon-day should get so much strength in so short a time, consume so many goods and houses ; yea, take away so many lives as eight persons. And on the contrary, it seems to me a wonderful mercy, that so few perished in the fire, when I consider with what a mighty stream and force the fire and wind came on in some narrow passages ; that many people were spent and faint, their spirits spent, their eyes dazzled, or blinded with dust and smoke ; that some houses fell down when persons were running by for life ; and that many had no other passage open to fly for their lives, but by venturing close by raging fire. And here I may add, what I received from a very worthy friend, that he saw a country fellow bring up a barrel of gunpowder out of an apothecary's cellar, when the Gold-street was burning, and covering it with his coat, went away with it in his arms, which might have been his own death, and the death of many others.

5. Whereas some may look upon this as casually begun, and grown to so great a mischief by oversights and neglects of people, I cannot but see

a great plot of many conspiring circumstances, and all laid by the holy, just, wise, and absolute Lord, both for punishment, correction, and trial. I will sum up those that readily occur. That the wind should sit so full upon that part of the town, that the fire should kindle in a street so combustible, far from help speedily to suppress it, so level upon the principal places of the town : that it should fly so far as the east in a very little while ; that the heart of the town should be environed, and barricaded with flames, that there was no getting in, no getting out for teams, when they would have done most good, when the shops and houses were most emptied, and laid out of doors, ready to be carried away. How easily might teams have cleared the Market-hill and churchyard if the four great avenues and passages had been passable ? How little did many towns think Northampton to stand in so much need of help ? These and more being put together make me conclude, “ Is there evil in the city, and the Lord hath not done it ? ” “ God is known by the judgments which He executeth. Selah. ” “ Go ye now unto My place which was in Shiloh, where I set My name at the first, and see what I did to it for the wickedness of My people Israel. ” Jer. vii. 12.



And now, Sir, because I said I will conclude, I will instead of making an apology for myself, why so late? why so long? or to others why so short? or why I? I will only say, that I have some feeling of the sufferings of my worthy and dear acquaintance, pray it may rise higher and better, that I hope your interest and endeavours may do good, that I have endeavoured to make their deplorable condition speak for them, and that I owe you a far greater service when you shall command it, if I can perform it. For I am,

Sir,

Your most obliged servant,

E. P.



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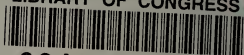
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